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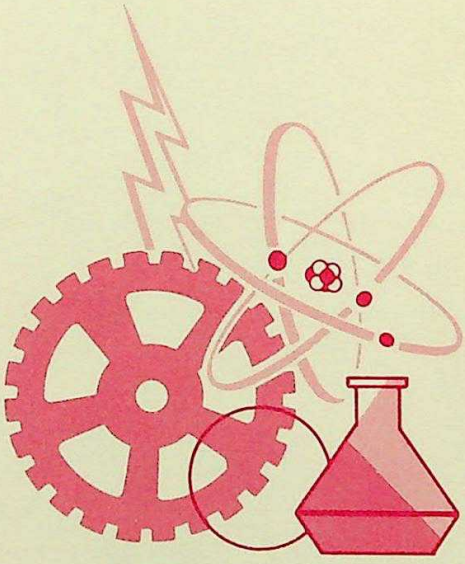
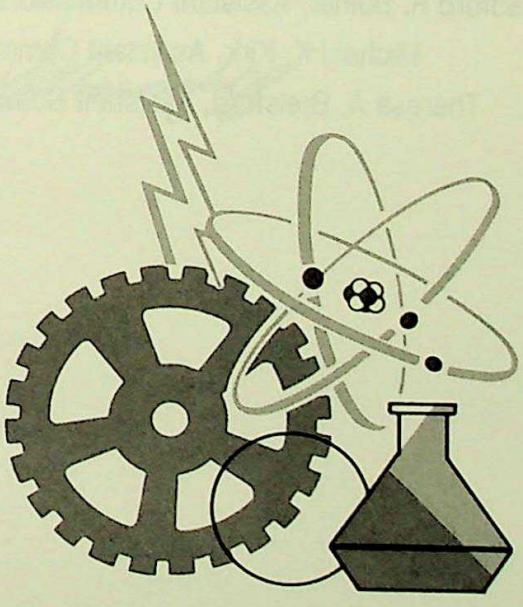
# Commissioner of Patents and Trademarks



ANNUAL REPORT
FISCAL YEAR '82

# Commissioner of Patents and Trademarks



ANNUAL REPORT
FISCAL YEAR '82

U.S. DEPARTMENT OF COMMERCE/PATENT AND TRADEMARK OFFICE

**U.S. DEPARTMENT OF COMMERCE**
**Malcolm Baldrige, Secretary**

**U.S. PATENT AND TRADEMARK OFFICE**
Gerald J. Mossinghoff, Commissioner
Donald J. Quigg, Deputy Commissioner
Rene D. Tegtmeyer, Assistant Commissioner for Patents
Margaret M. Laurence, Assistant Commissioner for Trademarks
Bradford R. Huther, Assistant Commissioner for Finance and Planning
Michael K. Kirk, Assistant Commissioner for External Affairs
Theresa A. Brelsford, Assistant Commissioner for Administration

**March 1983**

Vigorous and effective patent and trademark systems are indispensable to our economic growth and national well-being. This report describes the operations of the Patent and Trademark Office during FY 1982 and the status of the Office at the close of that year. It reviews the important steps that have been taken to upgrade operations at the office and thus bring about lasting and substantial improvements in our service to inventors and industry.

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# Annual Report of the Commissioner of Patents and Trademarks Fiscal Year 1982

## MISSION

The Patent and Trademark Office (PTO) promotes the national economy by administering both the patent and trademark laws of the United States.

Patent laws encourage technological advancement by providing incentives to invent, invest, and disclose new technology. The Patent and Trademark Office's primary role in administering these laws is to examine patent applications and grant patent protection for qualified inventions. The PTO is also responsible for collecting, assembling, and disseminating the technological information disclosed in patent grants.

Federal trademark laws promote an ordered and healthy economy by enabling Federal registration of trademarks. Trademarks help prevent product confusion among consumers and foster public awareness of the source of goods and services in the marketplace. The PTO examines applications to register trademarks and grants Federal registration to the owners of qualified marks. The PTO also maintains a forum for resolving disputes on trademark rights.

The PTO is an agency of the U.S. Department of Commerce and is located in the Crystal City office complex in Arlington, Va.

## PROGRESS ON STEPS TO IMPROVE THE PATENT AND TRADEMARK OFFICE

In fiscal year 1982 the PTO made significant initial progress in meeting all of its major goals. The first signs of progress became evident in the program to reduce the increasing backlogs and pendency times that have plagued the PTO in recent years. Steps toward full automation were another sign of progress, as were several legislative accomplishments.

On August 27, 1982, President Reagan signed P.L. 97-247, which made basic changes in the PTO fee structure and in the agency's operations. The law provides for increased "user fees" which will assure the PTO of adequate resources over the next decade without the need for increases in appropriations. P.L. 97-247 also made a number of changes which clarify and liberalize current requirements. (See Chapter 2 on Legislation.)

Another important piece of legislation was the Federal Courts Improvement Act, P.L. 97-164, which established a U.S. Court of Appeals for the Federal Circuit (CAFC). Other legislation included P.L. 97-366, which designates the Commissioner of Patents and Trademarks as Assistant Secretary and Commissioner of Patents and Trademarks.

Planning continued toward the goal of a fully-automated PTO by 1990. The Office centralized all automation activities under a newly-hired Admin-

istrator for Automation, who completed the master plan for PTO automation required by P.L. 96-517. According to the plan, delivered to Congress in December 1982, all trademark operations and one of the fifteen patent examining groups (Group 220) will be fully automated by the end of 1984. Pre-examination, post-examination, classification and management information will be automated as well. Planning began in 1982 to achieve these long-range automation goals, and the Office took a number of immediate steps to improve operations through automation. (See Chapter 4 on Automation.)

Before the new fee schedule went into effect October 1, 1982, filings rose to an all-time high. A total of 17,225 patent applications and 16,656 trademark applications were filed in September, about twice the customary monthly number for patents and three times the average monthly total for trademarks. These brought the yearly total to 124,800 applications for patents and 73,621 for trademarks.

A total of 65,152 patents were issued in FY 1982, with an average pendency time of 24.2 months between filing and disposal. In the trademark area, 43,630 marks were registered, with an average pendency time of 21.3 months.

In 1981 the Administration made the commitment to reduce the backlog of applications through Plan 18/87 for patents—disposing of patent applications within 18 months of filing by 1987—and Plan 3/13 for trademarks—issuing a first action within three months and final disposition within 13 months by 1985. To meet the 1982 portion of these plans, the PTO hired 235 new patent examiners and 20 new trademark examiners. Both plans remain on schedule.

The PTO began a new program for patent examiners' visits to industrial facilities where the technology in which they specialize is developed and used. U.S. industry has made the program possible by making facilities available and by contributing to an examiner education fund. A total of 55 examiners took part in the program during the year. Trademark examiners continued to attend trade shows and exhibitions relating to the technologies in which they examine.

In August, the Commissioner announced a five-point plan to improve PTO operations. It is directed toward:

(1) upgrading the physical environment in the PTO;
(2) improving internal communications;
(3) ensuring proper dress and demeanor by employees;
(4) improving communications with the public; and
(5) establishing a focal point for public inquiries and complaints.

As the year ended, progress was being made in all these areas, as well as others described in the following pages.

# chapter one
# FINANCIAL AFFAIRS

*Operating Costs*

Total operating costs for the PTO in FY 1982 (as determined by accrual accounting methods) were $125,836,000, an 11 percent increase over FY 1981 (without adjustment for inflation). Compensation and benefits totalling $90,265,000 comprised 72 percent of operating costs. Printing of patents and trademarks and other reproduction costs were $15,882,000, or 13 percent of operating costs. Other costs of $19,689,000 were 15 percent of the PTO's total operating costs. Figure 1 shows that patent processing in FY 1982 was about 71 percent of PTO operating costs, trademark processing 8 percent, and dissemination of patent and trademark information 21 percent. Table 1 gives the historical data on PTO operating costs*.

*Appropriations*

Total FY 1982 Congressional appropriations for the PTO rose to $125,335,000, an increase of $9,185,000 above the FY 1981 appropriations (see Table 2).

The actual obligations against this total budget authority were $124,230,000, an increase of $8,236,000 above the FY 1981 level of $115,994,000. The difference between the funds available and funds expended ($1,105,000) in 1982 represents fourth quarter obligations for contracts that were delayed until 1983.

The initial FY 1982 Congressional appropriation of $118,961,000 provided increased funding for trademark examination to begin to reduce pendency time to first action; trademark printing for publication of oppositions and printing of registrations; and automatic data processing to provide support for existing program systems and hardware.

This initial appropriation was increased by two supplemental appropriations totaling $6,374,000. The first supplemental of $3,874,000 provided for the Federal pay raise of October 1, 1981. The second supplemental appropriation of $2,500,000 was granted to provide for the hiring of 235 new patent examiners to help curb the growth in the patent backlog and to start decreasing the amount of time necessary to grant a patent to 18 months by 1987.

*All figures are included in the text. All tables are in the appendix at the end of the report.

FIGURE 1

## PATENT AND TRADEMARK OFFICE FY 1982 OPERATING COSTS ($125,836,000)

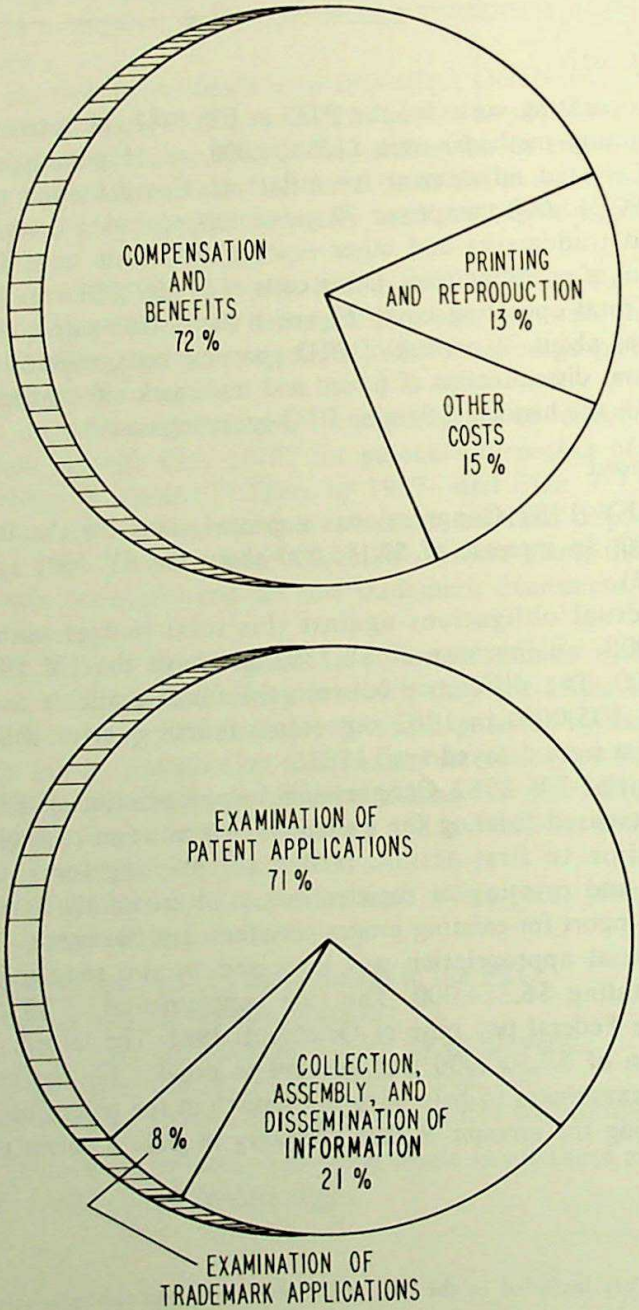

COMPENSATION AND BENEFITS 72 %
PRINTING AND REPRODUCTION 13 %
OTHER COSTS 15 %
EXAMINATION OF PATENT APPLICATIONS 71 %
COLLECTION, ASSEMBLY, AND DISSEMINATION OF INFORMATION 21 %
8 %
EXAMINATION OF TRADEMARK APPLICATIONS

FIGURE 2

**PATENT AND TRADEMARK OFFICE**
**FY 1982 INCOME FROM FEES**
**($28,535,000)**

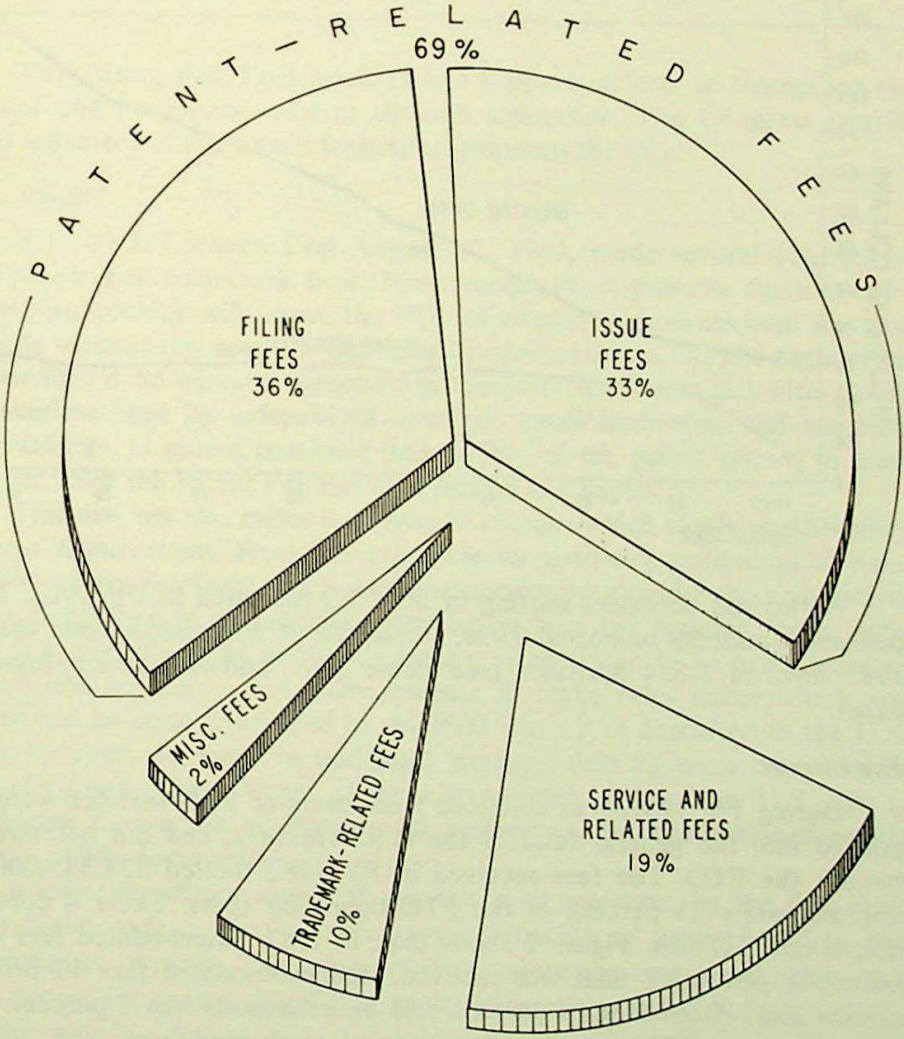
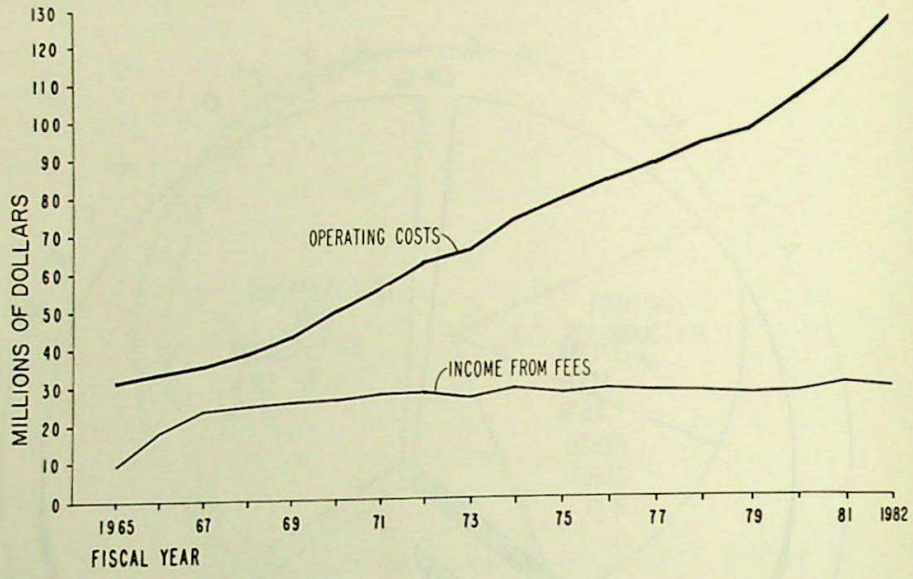


FIGURE 3

## INCOME AND OPERATING COSTS (1965-1982)




Authorized personnel staffing in the PTO increased in FY 1982. Total permanent positions numbered 3,036, an increase of 202 positions over the FY 1981 level of 2,834 positions (see Table 3 for end-of-year employment data).

*Fee Income*

During FY 1982, fees collected from users of PTO services were deposited into the general fund of the U.S. Treasury, and did not directly benefit the PTO. The fees received in FY 1982 totaled $28,535,000, or approximately 23 percent of the PTO operating costs. Table 4 contains details on PTO fees. Figure 2 shows that, in 1982, patent-related fees comprised 69 percent of total fees received, trademark-related fees 10 percent, service and related fees 19 percent, and miscellaneous fees 2 percent. Figure 3 illustrates PTO operating costs versus fees charged from 1965.

P.L. 96-517, enacted early in FY 1981, and amended by P.L. 97-247, signed into law on August 27, 1982, changed the fee structure which had been in effect since 1965. The increased fees under this law went into effect on October 1, 1982. Under this legislation fee income will be retained by the PTO, rather than being deposited in the general fund of the U.S. Treasury. (See Chapter 2 on Legislation.)

# chapter two
# LEGISLATION

The Patent and Trademark Office supports efforts to strengthen the patent and trademark systems through legislation. The Congress considered a number of significant legislative proposals this year.

*P.L. 97-247*

P.L. 97-247, enacted on August 27, 1982, made several changes to the patent and trademark laws. Most important, it provides for increased "user fees", which will assure the PTO of adequate resources over the next decade without the need for increases in appropriations. At the same time, it provides a 50 percent reduction in the new fees associated with patent applications filed by independent inventors, small businesses, and nonprofit organizations to ensure continued accessibility of the patent system to these entities. (See the Patent Fee Revision section in Chapter 5.)

This new law also makes a number of changes which clarify and liberalize current requirements. Provisions are made for automatic extensions of time, revival of applications which are unintentionally abandoned, and awarding a filing date to applications submitted without the required fee or oath. The law liberalizes the ability to correct inventorship in an application or patent and authorizes the Commissioner to make rules under which any paper will be considered filed in the PTO when it is deposited in the U.S. mail. Changes are made in trademark practice, deleting some requirements and clarifying others. Other changes were made to conform U.S. law to the Hague Convention by changing the requirement for legalization of certain foreign public documents.

Another significant aspect of this law is its provision, for the first time, for judicial enforcement of voluntary arbitration of patent validity and infringement disputes. This is expected to reduce the cost of resolving such disputes in the future, benefiting both the parties to the dispute and the public.

*Federal Courts Improvement Act*

The Federal Courts Improvement Act, P.L. 97-164, was enacted on April 2, 1982. This law established a U.S. Court of Appeals for the Federal Circuit (CAFC). The CAFC combines in a single court the Court of Claims and the Court of Customs and Patent Appeals. The new Court will decide appeals from the PTO which previously were heard by the Court of Customs and Patent Appeals and also will hear patent-related appeals from

all of the U.S. district courts. The PTO actively supported this legislation in the 97th Congress, arguing that creating a single authoritative tribunal to handle patent cases nationwide would contribute to a uniform standard of patentability.

*Patent Term Restoration Act*

Legislation was introduced in Congress to amend the patent law to provide an extension of the patent term for patented products, or methods, that are subject to Federal regulatory review before they are permitted to be introduced for commercial use. The extension would equal the regulatory review period up to a maximum of seven years. Although S. 255 was passed by the Senate on July 9, 1981, its counterpart, H.R. 1937, was the subject of prolonged hearings before several House subcommittees. The PTO strongly supported this legislation, testifying on behalf of the Administration that the legislation would restore full patent incentives to patent owners whose products and processes have been held back from the marketplace by Federal regulatory procedures. Extensively amended, the bill was reintroduced as H.R. 6444 on May 20, 1982. Despite several efforts to secure its passage, the bill died with the end of the 97th Congress. However, a provision extending the term of patents in certain situations was passed by Congress as part of H.R. 5238, the "Orphan Drug Act." The provision is contained in a new section 155 which was added to title 35, United States Code.

*Federal Patent Policy*

During 1982, Congress continued its consideration of legislation that would further change Federal patent policy. This legislation (S. 1657 and H.R. 4564) would permit any contractor to elect to retain title to inventions developed with Federal sponsorship. The Commissioner testified in support of this legislation, stating that the legislation will create a truly uniform patent policy, encourage businesses to invest in inventions resulting from Federal sponsorship, and relieve the Federal Government from the responsibility, burdens, and costs of seeking commercial uses for inventions made under Federal sponsorship. Neither of these bills was passed prior to the adjournment of the 97th Congress.

*P.L. 97-296*

H.R. 5154, a bill which would amend the Lanham Trademark Act to prohibit State regulations from requiring alteration of Federally registered trademarks, was introduced on December 9, 1981. The PTO testified in favor of the bill before the House Judiciary Committee. The bill was passed by Congress in September and became P.L. 97-296 with signature by the President on October 12, 1982.

*P.L. 97-366*

On October 25, 1982, the President signed into law H.R. 4441, which amends section 3 of title 35, United States Code, by designating the Commissioner of Patents and Trademarks as an Assistant Secretary of Commerce.

*Employed Inventors' Rights*

With the increasing adoption of state laws regarding the disposal of rights in inventions made by employed inventors, as well as the concerns regarding lagging innovation in the country, two bills were introduced during the 97th Congress to establish a uniform Federal policy on employed inventors' rights. Hearings were held on these measures, H.R. 4732 and H.R. 6635, by a subcommittee of the House Committee on the Judiciary, but no action was taken on either measure.

*P.L. 97-256*

P.L. 97-256, enacted on September 8, 1982, made technical and conforming changes in the patent and trademark laws. These changes were needed because of the passage of P.L. 96-517, but made no substantive changes in the patent and trademark laws.

# chapter three

# INTERNATIONAL COOPERATION

The Patent and Trademark Office pursues its responsibility to promote U.S. business interests in the international and the domestic arenas by working for effective patent and trademark protection throughout the world. Efforts in this area are directed toward the development of simpler, less expensive, and more effective means for U.S. nationals to secure and protect their industrial property rights.

*Revision of the Paris Convention*

Patents and trademarks are generally effective only within the borders of countries which issue the grant or the registration. To make it easier to obtain protection across international borders, 13 countries agreed almost a century ago to establish the Paris Convention for the Protection of Industrial Property, to which the United States has been a party since 1887. The original Paris Convention has been revised several times, and further revisions are being considered.

The PTO participated in the Third Session of the Diplomatic Conference for the Revision of the Paris Convention, which was held in Geneva, Switzerland, in two parts from October 4-30, and from November 23-27, 1982. The United States had previously reemphasized that it would not be party to any revised convention expressly authorizing compulsory exclusive licenses such as provided for in the text of Article 5A tentatively approved by the Conference at its Second Session in Nairobi, Kenya, held in September and October 1981. Through consultations prior to the Third Session, an informal agreement was reached that Article 5A would not be discussed officially, at least not at the beginning of the Third Session.

The major portion of the October session, therefore, was spent discussing trademark issues. The most contentious of these was the text of a proposed new Article 10*quater* dealing with geographic indications. While the United States basically opposed any amendment of the Paris Convention to strengthen the protection for geographical indications, it had indicated a willingness to join in such a proposal provided that it was prospective and that adequate safeguards were included. Although a great amount of time was spent discussing these issues, the participants were unable to reach agreement on all points regarding the proposed Article 10*quater*. The participants did, however, agree on an amendment to Article 6*ter* affording protection to official names of member countries.

At the same time that discussions were proceeding on trademark issues, the United States Delegation, headed by Ambassador Gerald J.

Mossinghoff, Commissioner of Patents and Trademarks, was making a concerted effort with key developing countries to find an acceptable alternative to the Nairobi version of Article 5A. By the fourth week of the Conference, a small informal group of developed and developing countries was convened to consider possible alternatives for the Nairobi text. A compromise proposal emerged from these deliberations, although no agreement could be reached due to the lack of time. In view of the importance of reaching agreement on this issue, the Plenary of the Conference decided to recess on October 29, and resume for the period of November 23-27, 1982.

Despite intense negotiations at the resumed session, the participants could not agree to adopt a compromise text of Article 5A. Nevertheless, hopes for a successful resolution of that issue remain high. A Fourth Session of the Diplomatic Conference has been called for in late 1983 or early 1984.

*International Code of Conduct on the Transfer of Technology*

The International Code of Conduct on the Transfer of Technology is an instrument being negotiated under the auspices of the United Nations Conference on Trade and Development (UNCTAD). The Code is intended to facilitate technology transfer agreements between countries by various means, such as discouraging certain restrictive business practices and enumerating responsibilities and obligations of the parties to transactions involving transfer of technology. During 1982, an Interim Committee established by the General Assembly of the United Nations met on three occasions to seek solutions to the problems which have stood in the way of a successful conclusion of the Code. The Patent and Trademark Office actively participated in these deliberations. Regrettably, no progress could be made in resolving the difficulties which have plagued negotiations of this Code all along and which had come to a head at the fourth session of the U.N. Conference in 1981. Accordingly, the U.N. Conference will have to attempt to resolve the disagreements at a fifth session, to be held in the fall of 1983.

*Training Programs for Developing Countries*

The PTO continued to provide training in the industrial property field to nationals from a number of developing countries. Two representatives of the People's Republic of China spent two months studying the U.S. trademark system. A national of the Republic of Korea participated in a four month training course, which included the instruction the PTO offers to its new patent examiners. Training was also provided in the area of trademarks for a Jamaican national for a six week period. Shorter periods of training were provided for other nationals from Thailand and Korea.

*Protection of Intellectual Property in Asia*

The Patent and Trademark Office, in cooperation with the Departments of Commerce and State, is actively encouraging Asian countries to pro-

vide greater protection for intellectual property. These efforts have been directed particularly toward the strengthening of industrial property protection in Korea and the development of a new patent law by the People's Republic of China. Meetings have been held to focus attention of Korean officials on problems of U.S. industry in the areas of chemical patent protection, confidentiality under the pesticide regulations, and trademarks. In conjunction with the World Intellectual Property Organization (WIPO), the PTO has provided assistance to the People's Republic of China through training provided for their nationals, as well as through lectures on trademarks by the Commissioner at a WIPO-sponsored seminar in Beijing.

*Other International Activities*

The Patent and Trademark Office, in cooperation with the Department of State and other components of the Department of Commerce:

- continued participation in implementation of the Nice Agreement on International Trademark Classification;
- continued assisting in a review of the U.N. Convention on the Law of the Sea;
- adhered to the International Convention for the Protection of New Varieties of Plants (UPOV Convention), effective November 8, 1981; and
- continued participation in the WIPO Permanent Committee on Patent Information.

# chapter four
# AUTOMATION

*Automation*

Two events significantly influenced the Patent and Trademark Office's automation planning in FY 1982: Section 9 of P.L. 96-517 required the development of a complete plan for automating the PTO, and management established the improvement of PTO operations through aggressive use of automation as one of its key objectives.

Consequently, actions directed at developing an automation master plan and improving existing automated systems dominated much of the attention during this year.

*Automation Master Plan*

A preliminary plan was drafted in the fall of 1981 and an assessment of the technology that would affect the PTO automation plan was completed in the spring of 1982. Commissioner Mossinghoff appointed a special advisory committee, comprised of automation experts from other government agencies, to review and evaluate the early findings.

Over 600 copies of the draft plan were circulated to individuals, commercial organizations, and interested professional associations, and a public hearing was held to provide a forum for comment and reaction to the plan. The participation and recommendations of these groups and individuals contributed to subsequent planning activities.

The plan, consisting of three volumes, was completed in September 1982, concurrent with its presentation to and review by the Department of Commerce, the General Services Administration, and the Office of Management and Budget.

The master plan describes the PTO goal to automate operations by 1990. A key concept inherent in this goal is the elimination of paper search files and related paper handling. Applicants will continue to communicate with the PTO in the medium of their choice, but submission of applications in computer-processible media, ultimately to include computer-to-computer connection, will be encouraged. Incoming information will be converted to computer-processible form upon receipt in the PTO and, thereafter, it will be handled electronically. Data bases of patents and trademarks will be created to enable full text search and/or retrieval on the basis of the U.S. classification and other indexing systems. PTO actions will be prepared on the same electronic workstations used for application review and searching. Patent and trademark information will be extracted

from the data bases and formatted for processing and photocomposition equipment in preparation for printing.

Automation will be accomplished in three stages. During the first stage, one patent group (Group 220, which deals with all areas of technology) will be automated to provide a testbed for evaluating the initial system architecture and methods of operation. Data bases will be created, and initial pre-examination, examination, and post-examination functions will be started on the system. Support will be provided for patent classification activities. All trademark functions will be automated, including public search. In the second stage, the other patent groups and office functions will be automated. This will complete the conversion to paperless operations, gain the advantages of full file integrity, and obtain the benefits of less costly printing. The final stage will expand dissemination and access capabilities and make possible direct, world-wide access to patent and trademark information.

To carry out automation activities, in FY 1982 the PTO centralized management of the automation program and recruited an Administrator for Automation. A coordinating committee, chaired by the Commissioner, was formed to assure continuing top management involvement and guidance as the master plan is implemented. The PTO contracted with the MITRE Corporation to provide systems engineering services needed to complete system specifications and to integrate the components of the system.

The master plan integrates the activities leading to implementation of the full automation concept with the current automated information system development, computer operations, and other supporting activities. It provides for a transition from the current to the future system operations, building on systems work already accomplished and under development.

*PALM 3*

Implementation of the final phases of the PALM 3 (Patent Application Locator and Monitoring) System continued in FY 1982. PALM 3 was expanded to automate a clerical backlog report for patent examining operations and a similar report for pre-examination activities. New on-line transactions were created to assist with the implementation of the revised and expanded fee schedule contained in P.L. 97-247. These transactions also help to track claims to small entity status and print notices of allowance.

*TRAM 2*

User requirements were completed for most of the TRAM 2 (Trademark Applications Monitoring) System. The initial phase of TRAM 2 is designed to consolidate a number of independent manual and automated systems and to parallel the PALM 3 system in providing the trademark operation with the ability to obtain information needed for application processing and management control. The information will be contained in a single data base which can be queried and updated on-line.

*Office Automation*

A significant accomplishment in office automation was completed in FY 1982 with the implementation of a word processing network throughout the fifteen patent examining groups. This action satisfied the management objective of eliminating hand-written examiner opinions. Through the use of 75 workstations and over 350 detailed legal and technical form paragraphs, more than 200,000 letters are produced annually.

*Computer Systems Support*

The PTO Burroughs B6700 computer system was upgraded to increase capacity and enhance performance. The system is now configured with three main processors, two input-output processors, two data communications processors, main memory capacity of over six million characters, disk storage capacity of over five billion characters, eight tape drives, and three printers. The additional equipment significantly reduced system response time, as illustrated in Figure 4. Prior to installation, system response time averaged 6-10 seconds per transaction. Since installation, system response time averages 3-4 seconds per transaction. Response improvements were achieved despite a substantial transaction volume increase of almost 40 percent. Availability of the system remained about the same, as shown in Figure 4, except for a period of instability following the new equipment installation.

*Search Experiments*

Studies were undertaken during FY 1982 to evaluate alternative methods of conducting automated patent searches by using different commercial data bases and systems. Over 300 patent examiners were given on-line access to these systems and about two dozen standard, special purpose and graphic terminals were placed throughout the Office. The systems included Derwent, IFI/Plenum, Pergamon, Chemical Abstract Services, DARC and Mead Data Central EXPAT. The studies focused on the questions: Is the full text necessary for search or can a surrogate, such as an abstract, be used with the same effect? Would a thesaurus be necessary or useful? What system features are most useful to examiners? The results from these studies will be used in the preparation of specifications for the long-range automated PTO system.

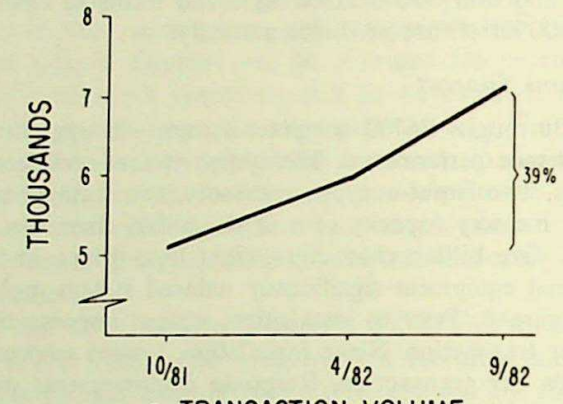
*Technology Assessment*

The Office of Technology Assessment and Forecast assesses technology by using patent information which is available in computer data bases. During FY 1982 three major reports and 269 custom technology reports were prepared for public and private organizations, an increase of 42 percent over the previous year. These computer-generated reports are provided to the public on a cost-reimbursable basis through the National Technical Information Service (NTIS). The major reports were:

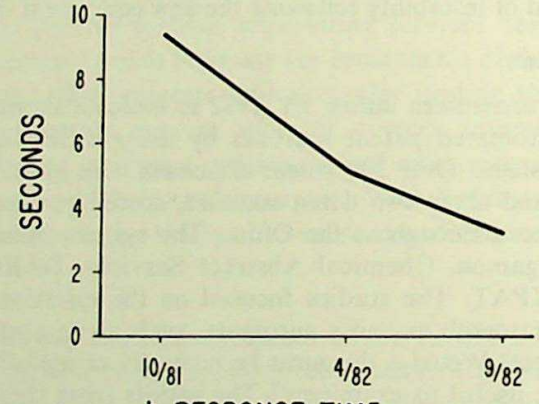
*Biotechnology*, which focused on six areas related to enzymes and microorganisms and their use in the synthesis of certain products, their preparation, and their modification;

FIGURE 4

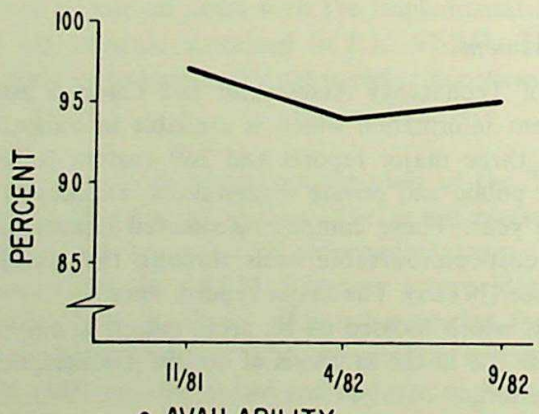
**PERFORMANCE IMPROVEMENTS ACHIEVED IN PTO CENTRAL COMPUTER OPERATION**




a. TRANSACTION VOLUME




b. RESPONSE TIME




c. AVAILABILITY

The *OTAF Tenth Report*, which reviewed the U.S. patent activity of some of the largest European and Japanese multinational corporations, analyzed changing standards for computer software patentability, and demonstrated how the patent files would be used in research and historical review, and;

*Industrial Robots; A Survey of Foreign and Domestic U.S. Patents*, which analyzed 212 U.S. patents pertaining to robotics.

# chapter five
# PATENTS

*Patent Applications*

The number of patent applications filed in FY 1982 set an all-time record of 124,800 filings (excluding international filings in the U.S. Patent and Trademark Office as a receiving authority under the Patent Cooperation Treaty). This number represents an increase of 10,090 applications or 8.8 percent over FY 1981, which itself was a record year. Utility, plant, and reissue applications accounted for 116,731 of these filings. The other 8,069 applications filed were for design patents, which showed a 12 percent increase in filings from FY 1981. Figure 5 illustrates historical trends in patent applications and patents issued. Figure 6 shows that the percentage of applications submitted by residents of foreign countries continues to increase and is now over 41 percent of all U.S. filings, up from 40 percent in FY 1981.

*Patents Issued*

The PTO issued 65,152 patents in FY 1982, an 8 percent decrease from the previous year. Utility, plant and reissue patents accounted for 59,853 of this total, with 5,299 design patents being issued. The number of patents issued to residents of foreign countries, as shown in Figure 6, continued to increase and was 40 percent of all patents issued, compared with 39 percent of the patents issued in FY 1981.

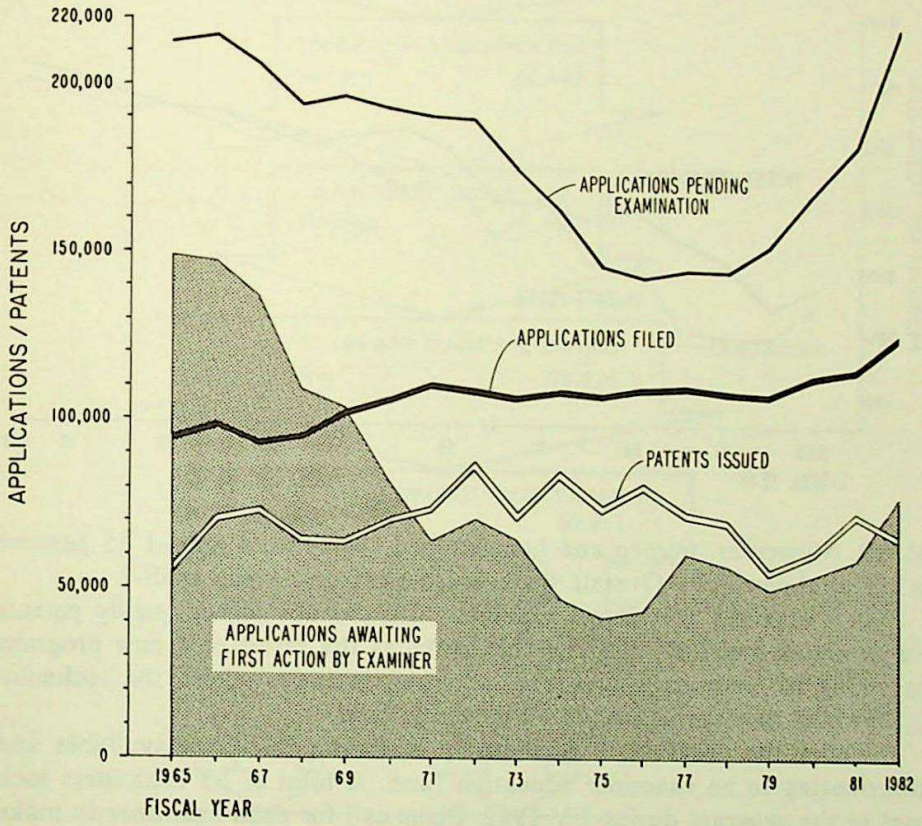
*Patent Pendency*

The time to process a patent application from filing to issue or abandonment is called the "patent pendency time." The average patent pendency time rose during FY 1982 to 24.2 months for utility, plant and reissue patents (from 22.4 months of the previous year). The average pendency time for design patents was 27.5 months.

The inventory of applications in the examining corps increased by 25,983 for nondesign applications. The total Office inventory at the end of FY 1982 was 247,984 applications, up from 221,538 in FY 1981. The average time that it took for an applicant to get a first response from the PTO on the merits of an application went from 11.6 months to 13.9 months. Figure 7 is a flow chart showing the stages, and the FY 1982 pendency time for each stage, in the patent examining process. Figure 8 illustrates the trends in pendency time over the past several years. (Also see Tables 5 through 9.)

FIGURE 5

**PATENT APPLICATIONS FILED, PENDING AND ISSUED (1965-1982)**




Under Plan 18/87 it is expected that the PTO will dispose of more cases than it receives in FY 1984, and that pendency time will start to diminish in FY 1985.

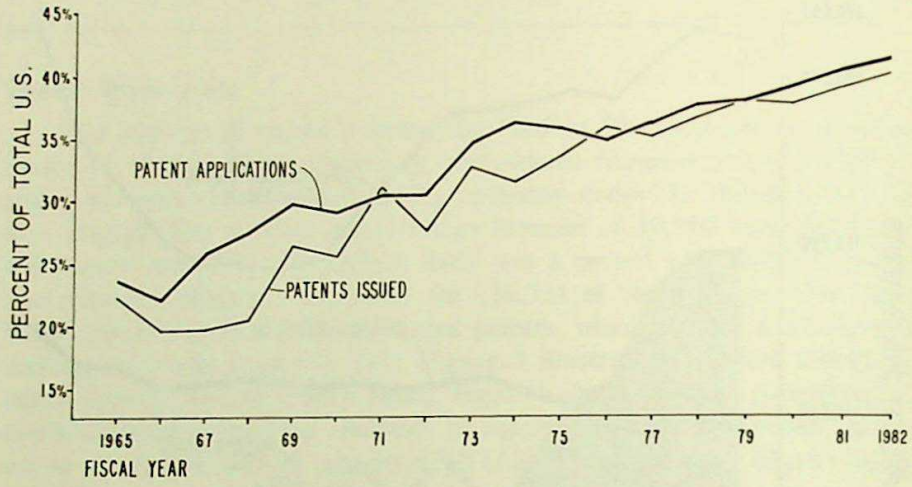
*Patent Examiners*

In support of the PTO's goal of reducing pendency to 18 months by FY 1987, 235 patent examiners were hired during FY 1982. With 51 attritions from the patent examining corps, the number of examining professionals (excluding supervisors) totaled 1,072 at the end of FY 1982.

This recruitment effort involved visiting 191 colleges; conducting about 1,500 interviews; placing advertisements in a number of magazines, college placement manuals, and college newspapers; and conducting an open house to attract qualified candidates. Of the 235 examiners hired, 201 were engineers with an overall college grade-point average of 2.93, on a scale

FIGURE 6

## U.S. PATENT APPLICATIONS FROM, AND PATENTS ISSUED TO, RESIDENTS OF FOREIGN COUNTRIES (1965-1982)




of 4.0. Minorities, women and handicapped represented almost 35 percent of the total new hires. Overall, the average entry grade was a GS-7.

It is expected that patent examiners will produce higher quality patents for inventors and the industries they serve as the result of a new program providing for examiners' visits to industrial facilities where the technology in which they specialize is developed and used.

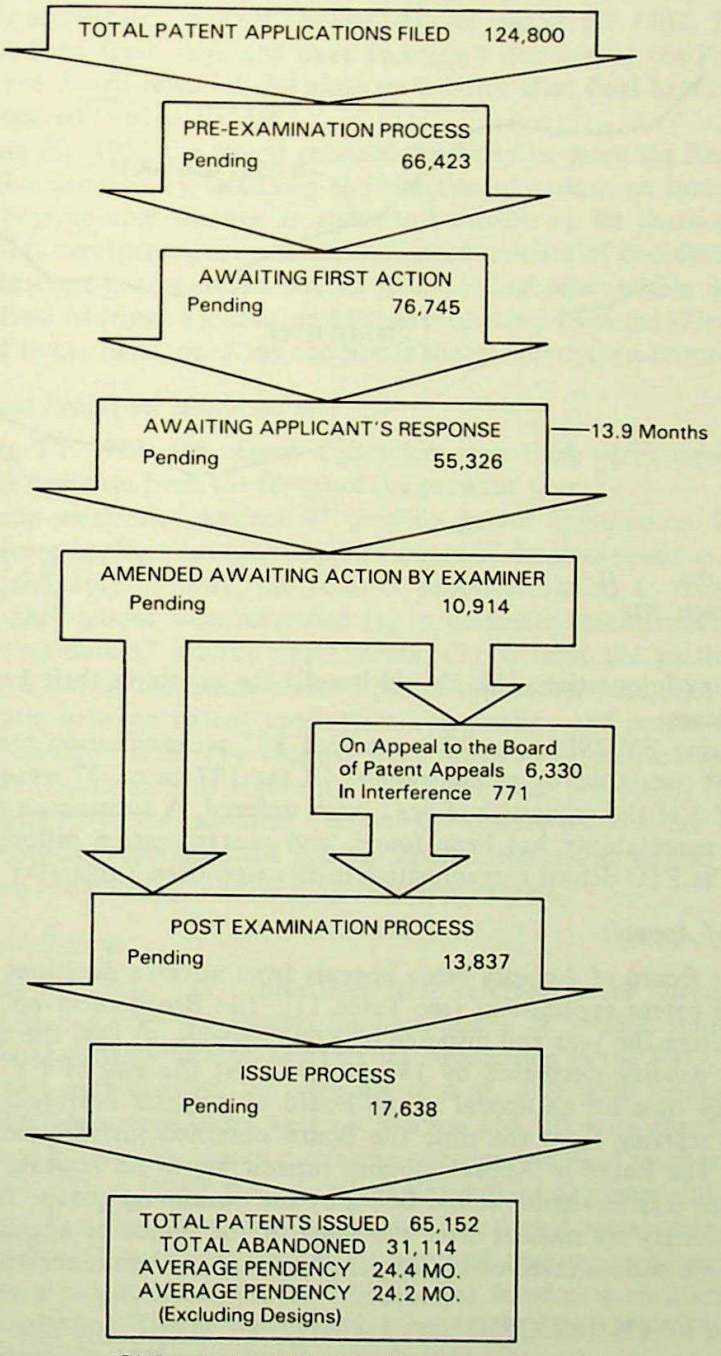
Under the program, U.S. industry is making facilities available and contributing to an examiner education fund. A total of 55 examiners took part in the program during FY 1982. Plans call for each examiner to make at least one corporate tour over a three-year period to both large and small technical facilities in the same geographical area. To avoid the possibility that contributors might influence PTO decisions on specific applications, supervisors assigning examiners to visit specific facilities and the examiners making the site visits do not know the identities of companies that have made contributions.

*Reexamination*

P.L. 96-517, enacted early in FY 1981, allows a patent owner, or his/her competitor, to request the PTO to "reexamine" an issued U.S. patent and rule on whether it should be amended or canceled because of evidence of earlier patents or printed publications cited as the basis for reexamination. This procedure is faster and considerably less expensive than resolution of patent validity issues in litigation. The procedure also permits a review of the patent and the cited art by a patent examiner who is familiar with the

FIGURE 7

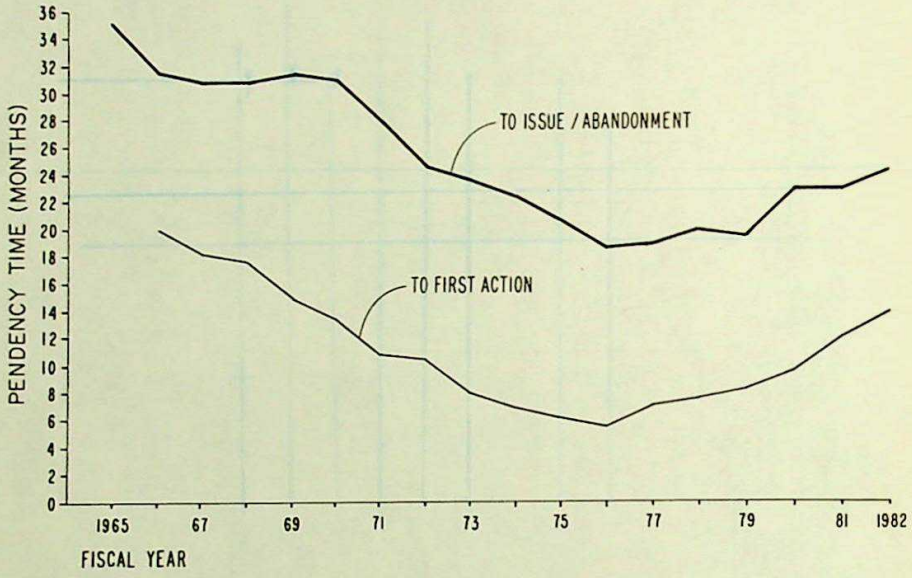
## PATENT EXAMINING ACTIVITIES




* This figure presents a simplified patent work-flow diagram with statistics on cases at various stages of processing at the end of FY 1982.

FIGURE 8

## PENDENCY TIME OF PATENT APPLICATIONS (1965-1982)




technology in question. This should benefit the courts in their handling of patent cases.

During FY 1982, the PTO received 187 reexamination requests, of which 68 were filed by patent owners. Of the 187 cases, 37 were in litigation and 3 of the requests had been court ordered. A substantial new question of patentability has been found, and reexamination ordered in 163 cases. The PTO denied reexamination in 39 cases. (See Table 10.)

*Board of Appeals*

The Board of Appeals hears appeals from adverse decisions of examiners on patent applications (see Table 11). The Board received 3,506 appeals during the year and disposed of 3,693 appeals, so that the number of appeals pending decreased by 187 to 4,781. At the end of FY 1982 the pendency time for an appeal at the Board of Appeals averaged about 16 months starting from the time the Board obtained jurisdiction over the appeal. The Board of Appeals obtains jurisdiction of an appealed application when it is forwarded to the Board by the examining group. This occurs approximately six months after the filing of the notice of appeal because of the time periods involved in filing the brief and the examiner's answer.

*Board of Patent Interferences*

A patent "interference" is a proceeding in the PTO to determine priority of inventorship between two or more applicants, or an applicant and

a patentee, who are claiming the same invention. The determination of priority is made by the PTO's Board of Patent Interferences, after a final hearing, on the basis of evidence submitted by the parties. Many interferences are terminated before reaching the final hearing stage, either because they are voluntarily settled or for other reasons. At the end of FY 1982, 76 cases had reached the final stage and were awaiting a decision by the Board. In FY 1982 the Board rendered decisions on priority after final hearing in 83 cases, compared to 67 in FY 1981.

During FY 1982 the Board reduced the delay between the final hearing and the decision by initiating the practice of setting an interference for final hearing only when it is about to be taken up for decision. As a result of this new procedure and the increased number of decisions in FY 1982, a decision is now issued within 90 days (and often within 60 days) after the final hearing in a case, and the average time from the filing of the reply brief to the issuance of the decision is slightly more than 16 months.

*Reissue and Protested Applications*

During FY 1982, 486 reissue applications were filed, which represents a 9.7 percent decrease from the filings of the previous year.

Protests were filed against 47 pending patent applications. Protests filed in reissue applications made up 72 percent of the total protests.

Effective July 1, 1982, the rules of practice relating to reissue and protested applications were amended (1) to eliminate consideration of the so-called "no defect" reissue applications, (2) to limit the participation by protestors during the examination of patent applications, and (3) to clarify the interface between patent application examination and patent reexamination in certain areas. The changes were intended to reduce applicants' prosecution costs and to redirect PTO resources, previously devoted to consideration of the so-called "no defect" reissue applications and extensive protestor participation during application examination, toward reduction of the backlog of pending patent applications.

*Duty of Disclosure*

During FY 1982, 141 applications were referred to the Office of the Assistant Commissioner for Patents for investigation of possible violations of the duty of applicants to disclose material information to the PTO. During the year, 147 such applications were disposed of, with three stricken from the files. Forty-one applications were not stricken and 103 were abandoned by the applicant before the duty-of-disclosure question had been resolved.

Effective July 1, 1982, the rule relating to duty of disclosure was amended to provide that the claims in an application be rejected, rather than striking the application, if upon examination it is found that the applicant is not "entitled to a patent under the law" because of fraud or a violation of the duty of disclosure. Under the amended rule, applicants are afforded an opportunity to appeal the rejection to the Board of Appeals, an avenue which was not open when such applications were stricken from the files.

*Accelerated Examination*

Patent applications for inventions that enhance the quality of the environment or contribute to energy conservation or development may be accorded a "special" status which accelerates the examination process. The PTO accorded "special" status to 25 environment-related and 126 energy-related applications in the past fiscal year.

*Quality Review*

Since March 26, 1982, the Office of Quality Review has reported directly to the Deputy Commissioner of Patents and Trademarks.

The quality review program, which has been in effect since 1974, was revised effective July 1. The expanded program's guidelines apply to all applications sampled after June 30, as well as to all applications sampled prior to July 1, but not officially reviewed prior to that date.

The new program provides for the return, by one reviewer, to the examining group of any sampled application in which a question of patentability is raised; it is no longer limited to a return, by two reviewers, to consider whether claims are clearly unpatentable.

The classification groups are no longer involved in the review process; questions concerning the desirability of further searching can now be raised initially by the patentability reviewer.

Ad hoc members of the Board of Appeals are no longer involved in the review process; final decisions concerning questions of patentability are now the responsibility of the group directors.

The expanded program is responsible for conducting patentability reviews on a 4 percent sample of all allowed utility applications; for screening all reissue applications for conformance with current practices; for conducting patentability reviews on a 15 percent sample of all allowed reissue applications; and for conducting patentability reviews on a 15 percent sample of those patents in which a reexamination certificate is to be issued.

The objectives of the program are to:

- prevent the allowance of unpatentable applications;
- improve public confidence in the certainty and reliability of issued patents;
- detect trends away from normal examining practice;
- feed back information to the patent examining corps;
- emphasize to the patent examining corps the importance of quality;
- compile data on the "quality" of the patent examination process.

A statistical overview of the results of the findings under the 1974 program to its termination on June 30, 1982, shows that 18,639 applications were subjected to patentability reviews. Of these, 808 (4.3 percent) were returned to the examining groups as having one or more clearly unpatentable claims. Prosecution was reopened in 718 (89 percent) of the 808 applications returned to the examiners. In addition, 1,380 of the applications reviewed (7.4 percent) were returned to the examining groups

for additional searching. Prosecution was reopened in 88 (6.4 percent) of the applications returned for additional searching. Thus, prosecution was reopened in a total of 806 applications in the old program from its implementation in April of 1974 through its termination in June of 1982.

During the first four months of operation of the expanded Quality Review program, 872 applications were reviewed. Forty-seven (5 percent) of these applications were returned to the examiners with questions of patentability. Prosecution was reopened in 38 (81 percent) of the 47 applications returned with questions of patentability.

Quality Review statistical findings continue to indicate that the quality of the patents allowed by examiners has been improving since the 1970's. In fact, the percentage of clearly unpatentable cases dropped from 7 percent in FY 1975 to 6 percent in FY 1976, leveled to 4 percent in FY 1977 through FY 1980, dropped to 3 percent in FY 1981, but returned to the 4 percent level and remained there through the end of the 1974 program (June 30, 1982). The statistics of the Quality Review program provide useful feedback to management on the reliability of patents issued and thus supplement the normal quality review performed by the immediate supervisors of patent examiners. These supervisors, of course, play a key role in monitoring patent quality.

*Patent Cooperation Treaty Functions*

The Office entered its fifth year as a receiving office under the Patent Cooperation Treaty (PCT). The PCT is an international agreement between 32 member countries which permits an inventor or a business to file an international application in the PTO as a receiving office with the same effect as an application in as many member countries of the PCT as are designated. In FY 1982 the PTO received 1,867 international applications, an increase of 3.8 percent over the previous year. Under the PCT, the PTO also serves as an "International Searching Authority" for international applications filed in the United States and Brazil. In this capacity the PTO completed 1,705 international search reports during FY 1982. The PTO also received notification that it had been "designated" in 2,644 international applications filed in other PCT receiving offices around the world. An extensive computer monitoring system was established to track the various action dates for the receiving office, International Searching Authority and designated office functions.

*Patent Fee Revision*

During FY 1982, a major revamping of the rules was accomplished to establish procedures and fees to comply with new statutory requirements relating to "user fees" (see Chapter 2 on Legislation). P.L. 96-517 provided that, by October 1, 1982, fees for processing patent applications be set to recover a certain percentage of the estimated average cost to the Office of such processing. This law also required that fees be set for maintaining all patents in force which are filed on or after December 12, 1980,

other than design patents. The maintenance fees also are set to recover a certain percentage of the estimated cost to the Office of processing patent applications other than design applications.

P.L. 97-247 established a number of statutory fees which the Commissioner is required to charge. Among the more significant of these are fees for filing, issuing and maintaining a patent in force. In addition, the law continued the Commissioner's present authority to establish fees for all other processing, services or materials related to patents which are not statutory fees. Under the law, there is a reduction by 50 percent of the statutory fees paid by independent inventors, small business concerns, and nonprofit organizations, who meet the established criteria.

P.L. 97-247 and its implementing rules now provide for charging fees for various types of petitions previously not requiring fees. Among these are extensions of time. Additionally, there are two different fees for filing petitions with different standards to revive abandoned patent applications. The same two fees also apply to petitions to accept the delayed payment of the fee for issuing a patent. One standard relates to the situation where the delay resulting in the abandonment, or the delay in payment of the issue fee, was unavoidable. The other occurs where the abandonment or the failure to pay the issue fee was unintentional.

*Patent Search File Integrity*

The completeness of the patent search file is critical to the reliability of an issued patent. Between 1978 and 1981, under the file integrity program, more than three million U.S. patents in the most active subclasses were reviewed and the accuracy of the associated computer record improved. During FY 1982, the PTO reviewed 865,000 search file documents, including U.S. and foreign patents and nonpatent literature. Approximately 33,000 patent copies were added to the file in FY 1982 to replace missing or mutilated documents.

The PTO initiated the model search room program as another way to review search file integrity. Under this program, all the references in six examiner search rooms will be reviewed for completeness, and the accuracy of the computer record will be improved. In FY 1982 three search rooms were reviewed completely. To date four search rooms have been reviewed; two remain to be completed. The search rooms chosen were two each from the electrical, chemical and mechanical art groups. When the model search room reviews are completed, those rooms will be used for further detailed studies relating to file content, use, and maintenance. In some of the search rooms, controls will be imposed to limit degradation of the integrity of the files, and the effectiveness of those controls will be evaluated.

*Reclassification*

Selected portions of the patent search file are reviewed periodically to determine the need for new classifications which better correspond to the state of technology. These ongoing reclassification programs constitute an

analysis of all patents in a given technology. The PTO then restructures the classification system for the new technology to increase the access to and the reliability of the patent search file. In FY 1982 an additional program was initiated to reduce substantially the number of undefined subject matter breakdowns existing in the classification system. This program will improve the quality of document placement in these subclasses, make them available to the public via the Public Search Room, and provide for a smoother transition to an automated search file.

The FY 1982 reclassification programs established 4,667 new subclasses and involved approximately 520,500 U.S. and foreign patents. See Table 16 for details. While the total number of patents reclassified during FY 1982 was approximately 5.5 percent more than the previous year, the total number of original patents classified decreased by approximately 5 percent during the same period. The number of original patents classified is the traditional measure of reclassification activity; therefore, the FY 1982 figures indicate a lower level of reclassification effort when compared to the previous year. This lower level of activity is primarily due to support-cost increases and funding and staffing decisions.

*Patent Depository Library Program*

The Medical University of South Carolina Library in Charleston began acquisition of a collection of U.S. patents in numerical order and was designated the 38th Patent Depository Library.

Since 1977, 16 libraries have joined the program. Figure 9 lists the 38 Patent Depository Libraries which bring collections of U.S. patents to within one hour of commuting time to 42 percent of the total population of the United States.

A list giving the location of these libraries and a point of contact for each is published as a continuing notice in the *Official Gazette* to promote public awareness of the Patent Depository Libraries.

In April 1982, the system known as CASSIS (Classification and Search Support Information System) became operational with 36 Patent Depository Libraries participating, extending to users of patent collections in 26 states the information resources previously available only in the PTO Public Search Room. Through CASSIS the PTO is providing to the participating libraries free and unlimited direct on-line access to its various classification data bases. CASSIS permits users to obtain lists of patents assigned given classifications, obtain original and cross-reference classifications of given patents, view the structured titles of classifications, and search for key words in those classifications.

Official training on the use of CASSIS was provided to the 44 librarians attending the Fifth Patent Depository Library Conference held by the PTO at the end of March 1982.

In the 25 weeks of the availability of the system, from mid-April through September 1982, even in view of learning time required, usage of CASSIS was high and steadily increasing. During this initial period of operation,

FIGURE 9

## PUBLIC PATENT DEPOSITORY LIBRARIES

ALABAMA
Birmingham Public Library

ARIZONA
Tempe—Science Library
(Arizona State University)

CALIFORNIA
Los Angeles Public Library
Sacramento—California State Library
Sunnyvale—Patent Information
Clearinghouse

COLORADO
Denver Public Library

DELAWARE
Newark—University of Delaware
Library

GEORGIA
Atlanta—Price Gilbert Memorial
Library (Georgia Institute
of Technology)

ILLINOIS
Chicago Public Library

LOUISIANA
Baton Rouge—Troy H. Middleton
Library (Louisiana State Univ.)

MASSACHUSETTS
Boston Public Library

MICHIGAN
Detroit Public Library

MINNESOTA
Minneapolis Public Library and
Information Center

MISSOURI
Kansas City—Linda Hall Library
St. Louis Public Library

NEBRASKA
Lincoln—Engineering Library
(University of Nebraska—Lincoln)

NEW HAMPSHIRE
Durham—University of New Hampshire Library

NEW JERSEY
Newark Public Library

NEW YORK
Albany—N.Y. State Library
Buffalo & Erie County Public Library
New York Public Library
(The Research Libraries)

NORTH CAROLINA
Raleigh—D.H. Hill Library
(N.C. State University)

OHIO
Cincinnati & Hamilton County
Public Library
Cleveland Public Library
Columbus—Ohio State University
Libraries
Toledo/Lucas County Public Library

OKLAHOMA
Stillwater—Oklahoma State
University Library

PENNSYLVANIA
Philadelphia—Franklin Institute
Library
Pittsburgh—Carnegie Library
University Park—Pattee Library
(Pennsylvania State University)

RHODE ISLAND
Providence Public Library

*SOUTH CAROLINA
Charleston-Medical University
of South Carolina Library

TENNESSEE
Memphis & Shelby County Public Library

TEXAS
Dallas Public Library
Houston—The Fondren Library
(Rice University)

WASHINGTON
Seattle—Engineering Library
(University of Washington)

WISCONSIN
Madison—Kurt F. Wendt Engineering
Library (University of Wisconsin)
Milwaukee Public Library

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* New patent depository libraries added in FY 1982.

46,866 inquiries were addressed to the system, averaging 1,874 queries per week.

*Distribution of Computer Patent Data Bases*

The PTO supports distribution of computer-readable patent data bases to the public through an agreement with the National Technical Information Service (NTIS). The data bases have been expanded and now include:

- Current patent full-text files produced weekly;
- Current patent bibliographic files produced weekly;
- Retrospective patent full-text and bibliographic files for patents issued from August 1970 through December 1980;
- Patent classification file containing patent number, class and subclass information on all U.S. patents;
- Patent technology assessment and forecast file for patents issued from January 1963;
- Company name file for patents issued from January 1969;
- Manual of Classification file for all classes and subclasses in the U.S. classification system;
- Index to the Manual of Classification;
- U.S. Classification/SIC Concordance;
- U.S. Classification/IPC Concordance;
- Inventor name file for patents issued from January 1975;
- Patent title file for patents issued from January 1969;
- Roster of attorneys and agents registered to practice before the U.S. Patent and Trademark Office;
- Foreign patent classification file for foreign patents added to the search file from January 1979;
- Index term files for Class 364, Subclasses 200 and 900.

The public may acquire copies of these files directly from NTIS. The address is:

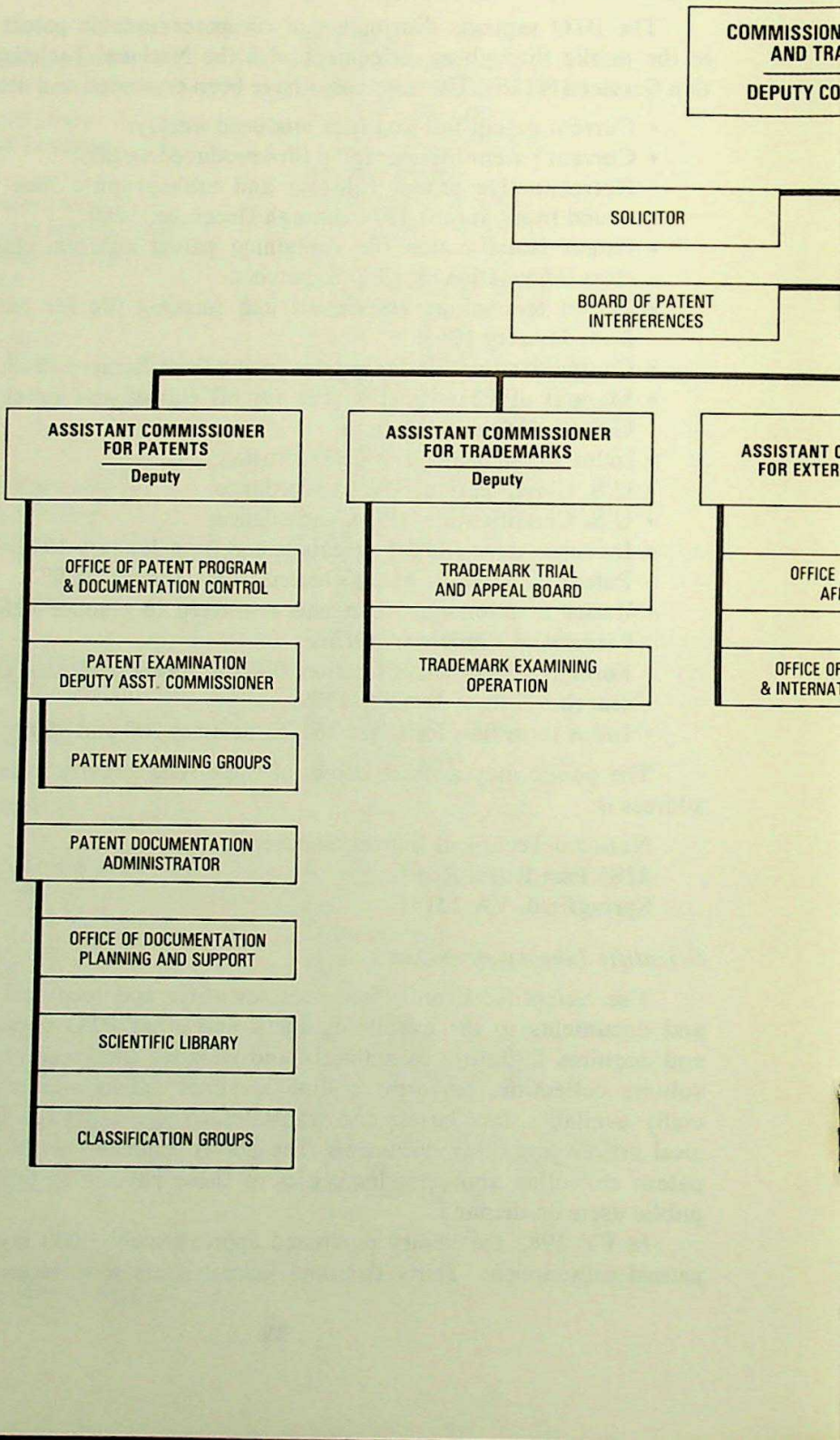
National Technical Information Service
5285 Port Royal Road
Springfield, VA 22151

*Scientific Library Activities*

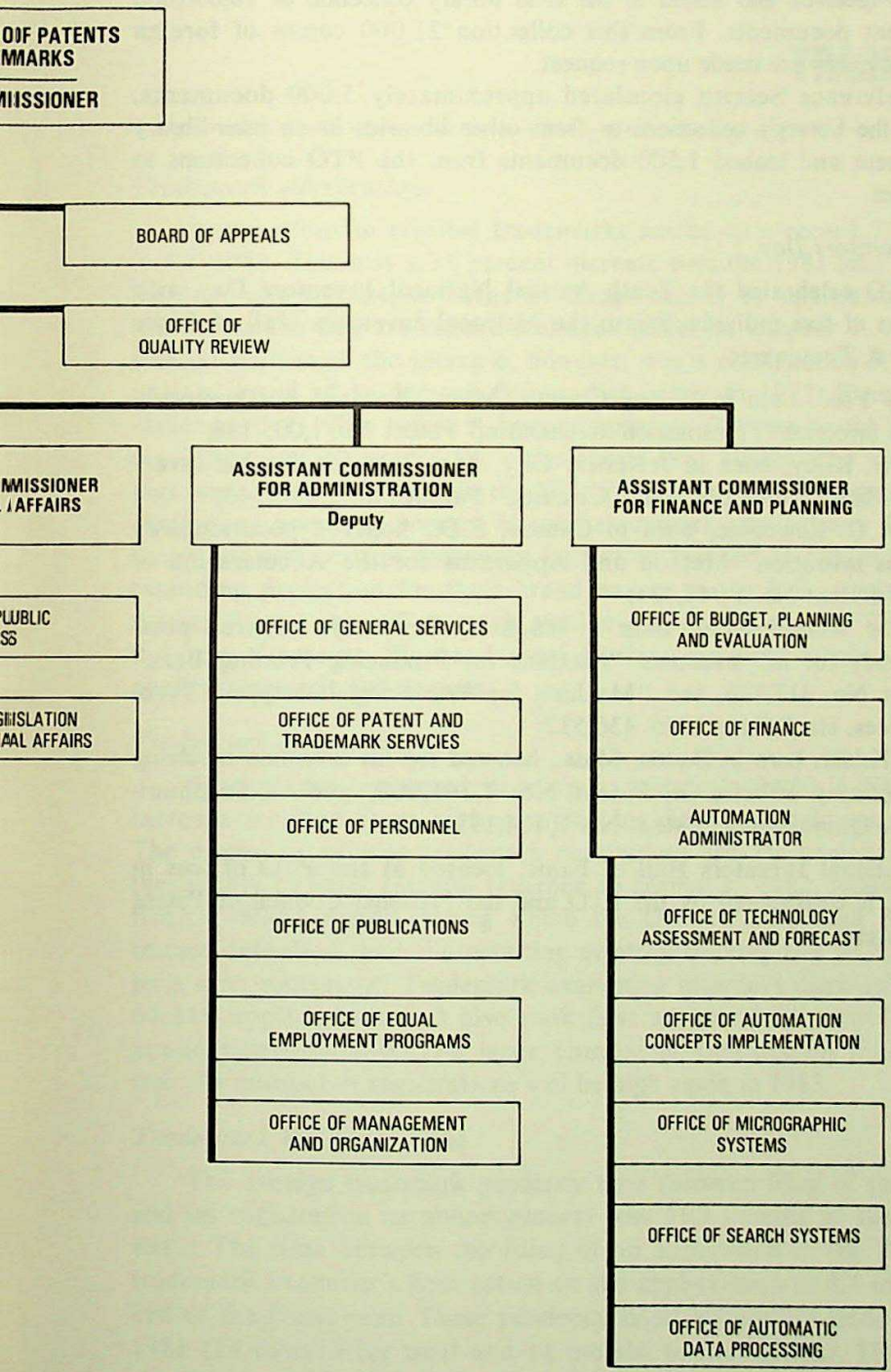
The Scientific Library provides scientific and technical information and documents to the examining corps and other PTO personnel; selects and acquires literature to maintain and enhance the value of the 120,000 volume collection; performs on-line searches among numerous commercially available data bases; and translates foreign language patents, technical articles and other documents. The library maintains an extensive foreign patent collection and provides copies of these patents to Office staff and public users on demand.

In FY 1982 the library purchased approximately 3,000 books and 1,600 journal subscriptions. Thirty thousand journal issues were received, 18,000 of

**U.S. DEPARTME**
**PATENT AND TR**



## OF COMMERCE
### EMARK OFFICE



which were routed among the various Office locations. Four thousand pages of foreign material were translated.

In the foreign patent area 900,000 documents and 4,500 reels of microfilm were received and added to the total library collection of 10,000,000 foreign patent documents. From this collection 21,000 copies of foreign patent documents were made upon request.

The Reference Section circulated approximately 5,000 documents, either from the library's collections or from other libraries in an inter-library loan agreement and loaned 1,500 documents from the PTO collections to other libraries.

*National Inventors Day*

The PTO celebrated the Tenth Annual National Inventors Day with the induction of five individuals into the National Inventors Hall of Fame on February 8. They were:

- Henry Ford, born in Wayne County, Mich., honored posthumously for his invention "Transmission Mechanism," Patent No. 1,005,186;
- Jack S. Kilby, born in Jefferson City, Mo., honored for his invention "Miniaturized Electronic Circuits," Patent No. 3,138,743;
- Ernest O. Lawrence, born in Canton, S.D., honored posthumously for his invention "Method and Apparatus for the Acceleration of Ions," Patent No. 1,948,384;
- Ottmar Mergenthaler, born in Hachtel, Germany, honored posthumously for his inventions "Machine for Producing Printing Bars," Patent No. 317,828, and "Machine for Producing Linotypes, Type-Matrices, etc.," Patent No. 436,532;
- Max Tishler, born in Boston, Mass., honored for his invention involving synthesizing Riboflavin, Patent No. 2,261,608, and "2-Sulphanilamido-Quinoxaline," Patent No. 2,404,199.

The National Inventors Hall of Fame, located at the PTO offices in Crystal City, is cosponsored by the PTO and the National Council of Patent Law Associations.

# chapter six
# TRADEMARKS

*Trademark Applications*

Applications to register trademarks soared to a record 73,621 filings in FY 1982. This was a 33 percent increase over the 1981 total. Part of the increase was a one-time surge in filings caused by applicants rushing to file before the new trademark fees took effect on October 1, 1982. A substantial portion of the increase, however, was a continuation of the general upward trend of trademark filings that began in 1975. Even during the earlier part of 1982, before it became apparent that fees would be increased, the filings ran 10 percent or more above 1981 filings. The total 1982 filings were more than double the 1975 filings. Foreign filings rose to 9,456, comprising about 13 percent of total trademark applications. This shows a continuing and perhaps increasing interest on the part of foreign businesses in extending protection for their brand names to the U.S. market, although foreign filings are still a much smaller percentage of total filings than in the case of patents. Figures 10 and 11 show historical trends in trademark applications and registrations.

*Trademark Registration*

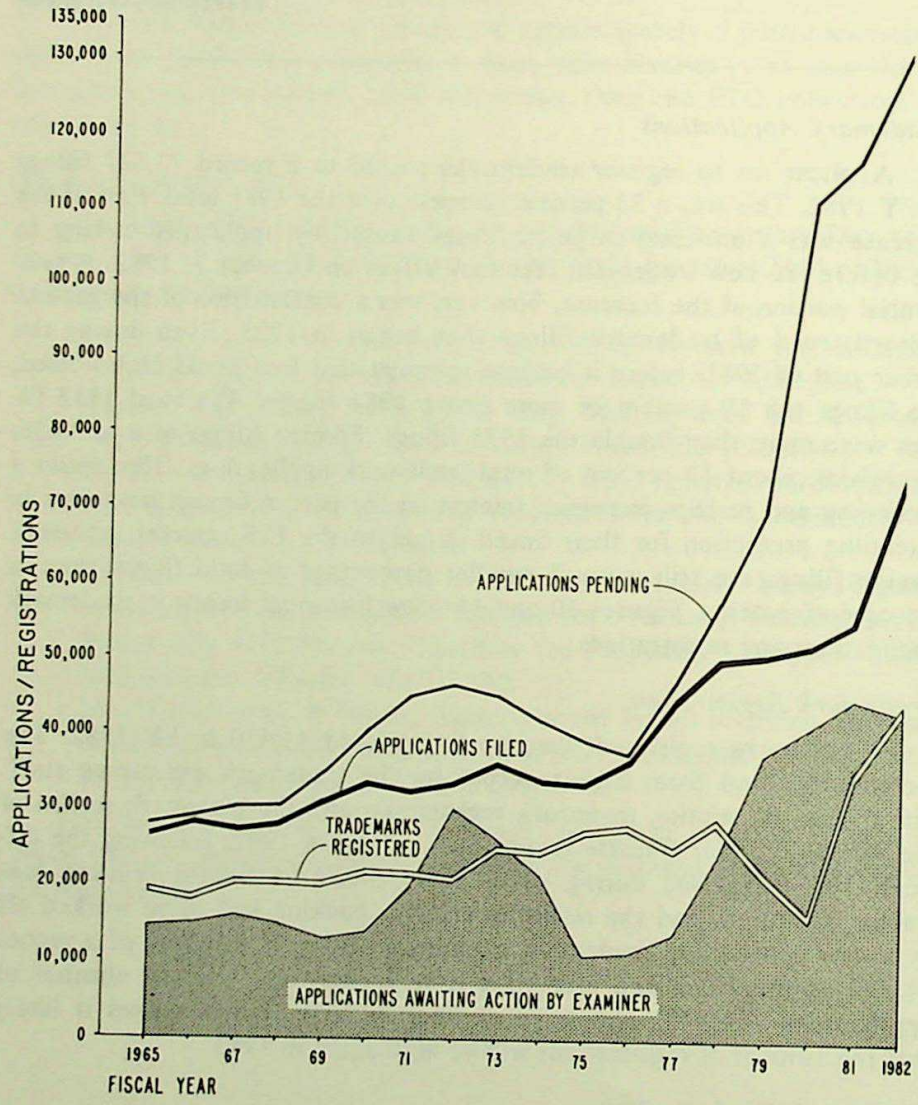
Trademarks registered were up to a record 43,630 in FY 1982. The increase resulted from higher output by the trademark examining staff. The process of printing trademark registrations and the trademark section of the weekly *Official Gazette* returned to normal in 1982, following the difficult 1980-81 period during which the Office's trademark printing contractor defaulted, and the resulting printing backlog had to be worked off by a new contractor. Trademark examining attorneys disposed of a record 64,319 applications and also took first actions on a record number of applications—64,840. The large number of first actions makes it likely that the number of registrations will be high again in 1983.

*Trademark Pendency Time*

The average trademark pendency time (between filing of the application and its registration or abandonment) was 21.3 months at the end of FY 1982. The time between the filing of an application in the PTO and the trademark examiner's first action on the application was 8.4 months at the end of the fiscal year. These pendency times were down from those of FY 1981 (24 months for total and 11 months to first action). This downward trend in pendency marked the beginning of progress toward the PTO's goal of

FIGURE 10

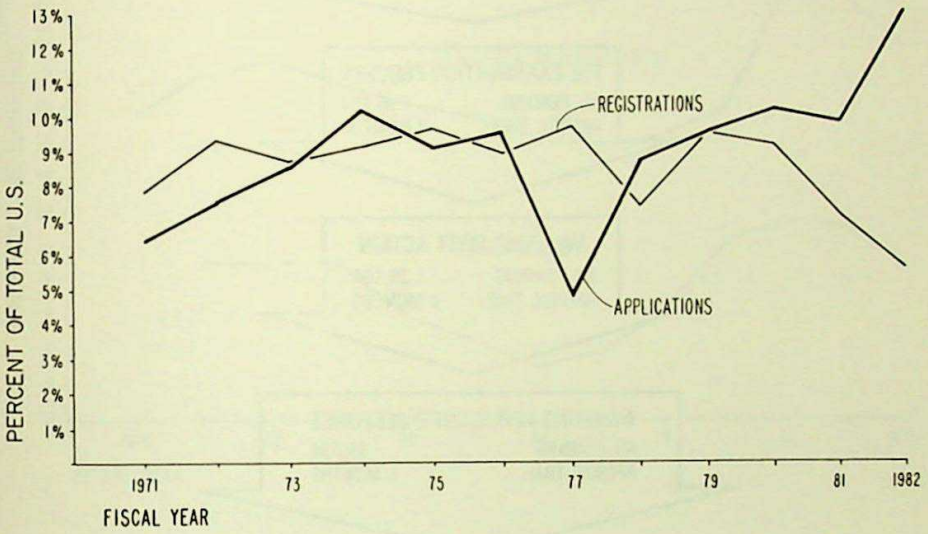
## TRADEMARK APPLICATIONS FILED AND PENDING; AND TRADEMARKS REGISTERED (1965-1982)




reducing total pendency time to 13 months and reducing time to first action to 3 months by FY 1985. The total number of trademark applications pending in the PTO rose to a record 130,529, up from 116,598 a year earlier, because of the influx of filings. Figure 12 illustrates the stages in the trademark examining process, and the pendency times associated with each. Figure 13 shows historical trends in trademark pendency times.

FIGURE 11

## U.S. TRADEMARK APPLICATIONS AND REGISTRATIONS FROM ABROAD (1971-1982)




*Trademark Examining Staff*

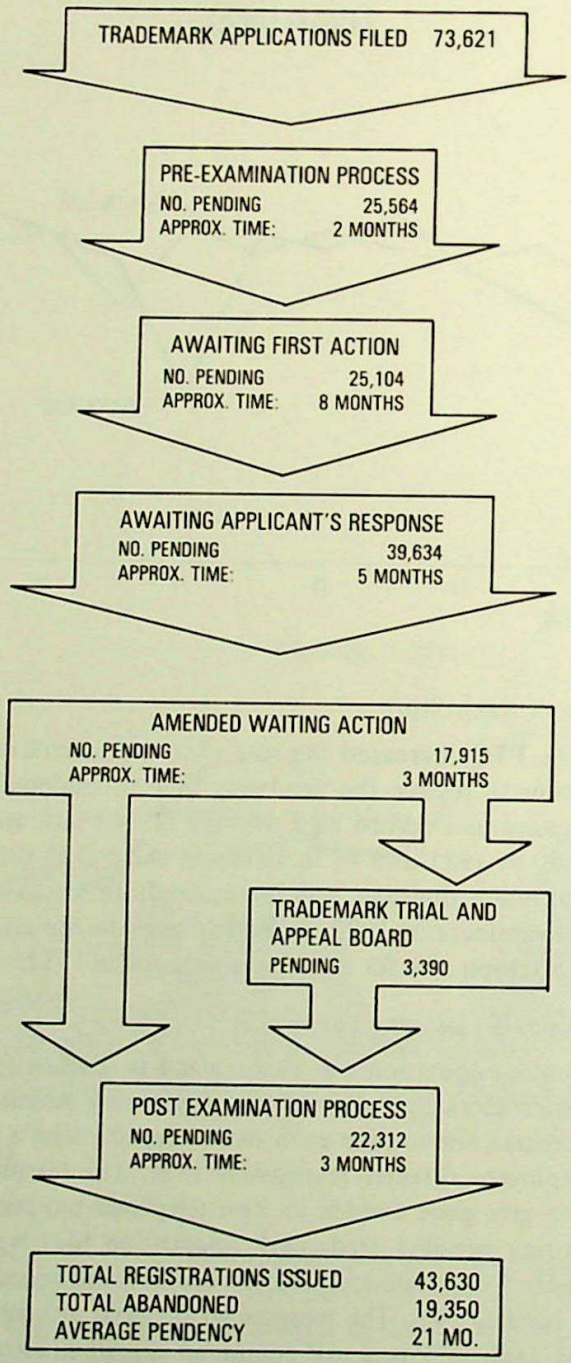
In 1982 the PTO increased the size of its trademark examining attorney staff in order to reduce the pendency time of trademark applications. The staff increased to a record high average of 94 examiners, compared to an average of 80 in 1981 and 47 in 1979. At the end of the fiscal year the number of examining divisions was increased from six to eight. The PTO hired 20 new examiners in 1982, including hires to replace those who left the PTO. The attrition rate for examiners dropped in 1982.

*Reorganization of Examining Operation*

The examining operation was reorganized to give better service to the public and better clerical support to the examining divisions. The clerical force was decentralized to give each examining division a clerical staff of about five employees directly responsible to it. The telephone system was decentralized to give each division its own telephone receptionist. The docket system for storing pending trademark application files was decentralized, to make it easier for examiners, clerical support and members of the public to retrieve pending files. The reorganized divisions are called "law offices," reflecting that each unit is a self-contained organization of attorneys and support staff somewhat similar to a private law office. Each law office is headed by a Managing Attorney and has 13 or 14 examining attorneys.

FIGURE 12

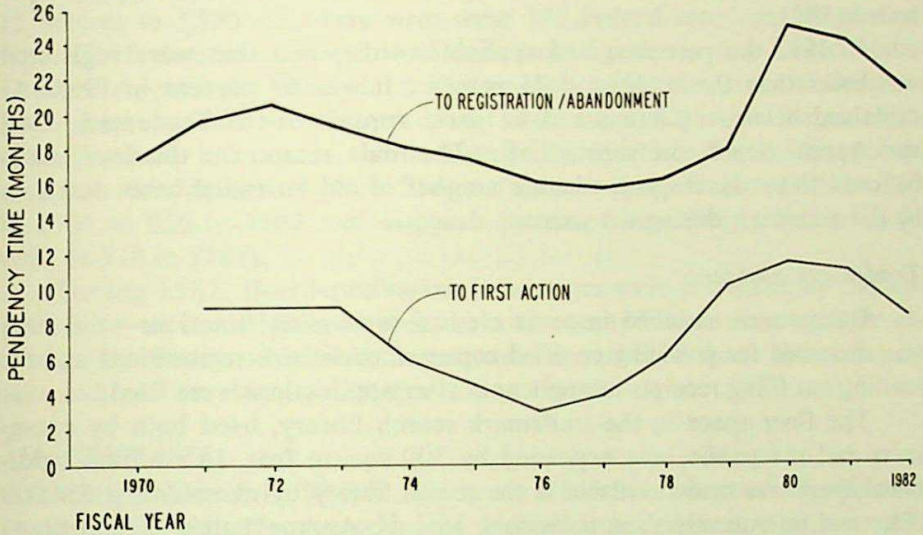
## TRADEMARK EXAMINATION ACTIVITIES*




* This figure presents a simplified trademark work-flow diagram with statistics on cases at various stages of processing at the end of FY 1982.

FIGURE 13

## PENDENCY TIME OF TRADEMARK APPLICATIONS (1970-1982)




*Examination Quality and Productivity*

Steps were taken to maintain and improve the quality of the Office's trademark examining work. Managers began reviewing more samples of examined applications before making decisions on promotions for examiners. The *Official Gazette* was reviewed each week to locate instances where examiners made clear errors in determining whether marks were merely descriptive of the goods or services. Merely descriptive marks were withdrawn from publication and the examination was reopened.

The Office continued its program for sending examiners to trade shows and exhibitions relating to the industries covered by the classes in which they examine. The trademark law library was further expanded. Efforts were expanded to recruit the best qualified attorneys obtainable. Trademark examining attorney vacancies were advertised widely; ten applicants were considered for every position filled.

Emphasis was placed on having the examiners do complete first actions, so that the prosecution could be concluded in the fewest actions possible consistent with giving the applicant a fair opportunity to respond and making a complete record. Also, examiners were required to act on amended cases no more than three months after receipt of the applicant's response. Consequently, the oldest amended cases in the law offices at the end of the year were awaiting action an average of three months, down from about 10 months at the beginning of the year.

A revised system of examiner productivity goals was instituted as part of a new system required by the Civil Service Reform Act of 1978 for meas-

uring the performance of Federal employees. The new productivity goals placed more emphasis on disposing of applications instead of merely writing large numbers of actions. The goals for new examiners were increased; the goals for the most senior examiners were reduced slightly. Examiner productivity increased to 0.47 disposals per hour from 0.40 disposals per hour in 1981.

In 1982 the percentage of applications disposed that were registered was lower than the traditional 75 percent. It was 69 percent in 1982. As explained below, the number of ex parte appeals to the Trademark Trial and Appeal Board rose substantially. The main reason for this increase is believed to be the disproportionate number of old amended cases acted on by the examiners during the year.

*Trademark Services*

Delays were reduced in some clerical processing functions—the time was shortened for providing certified copies of trademark registrations and for mailing out filing receipts to applicants after applications were filed.

The floor space in the trademark search library, used both by examiners and the public, was expanded by 500 square feet. In addition, additional space was made available in the search library by microfilming 554,000 older and infrequently used trademark records. Approximately 66,000 drawings of marks that had become registered or abandoned were purged from the file of pending marks in the search library. Plans were completed for a substantial expansion of the office space occupied by the clerical force and examiners. A new telephone number with a recorded message of general information about trademarks for the public was established. A recorded message service was also made available in the trademark search library to give the public the opportunity to leave telephone requests for information about the status of trademark registrations.

Clerical processing procedures were changed at the end of the fiscal year so that defective trademark applications not entitled to a filing date were mailed back to the applicant instead of being held for correction. A special training course was conducted for all clerical and secretarial employees in the examining operation to give them a broader understanding of the various trademark paper processing and trademark public service functions of the PTO.

*Trademark Trial and Appeal Board*

The Trademark Trial and Appeal Board is the PTO's administrative tribunal for deciding appeals from refusals to register trademarks by the Examining Operation and for determining certain inter partes trademark proceedings, most of which involve actions to oppose or cancel the registrations of trademarks thought to be confusingly similar to existing marks or otherwise not legally entitled to registration.

In 1982, 2,809 new cases were filed with the Board, a record figure and 25 percent higher than in 1981. The Board disposed of 2,362 cases,

2,009 of these before hearing (typically through settlement, default or motions for judgment) and 353 cases by final Board decisions after hearing. The latter involved 225 inter partes actions and 128 ex parte appeals. (See Table 20 for details).

By year end, the number of cases pending before the Board had increased 15 percent to 3,390 and there were some 108 Federal court appeals pending from TTAB decisions, two-thirds of these lodged with the new United States Court of Appeals for the Federal Circuit (into which the Court of Customs and Patent Appeals was merged as of October 1, 1982). Also, the year witnessed a sharp increase in the number and proportion of ex parte appeals received and disposed of. New filings of ex parte appeals jumped from 220 in 1981 to 626 in 1982 and disposals increased accordingly (from 174 in 1981 to 528 in 1982).

During 1982, Board professional resources were increased by the appointment of one additional member and one additional interlocutory attorney. The Board, which adjudicates cases in panels of three, had six members and four interlocutory attorneys at year end.

*Trademark Fees*

Pursuant to P.L. 97-247, trademark fees were increased effective October 1, 1982. The fee schedule adopted was designed to recover 100 percent of the cost of operating the trademark operations through 1985.

# chapter seven
# OTHER ACTIVITIES

*Equal Employment Programs*

The PTO's Office of Equal Employment Programs (OEEP) developed an update for the agency's affirmative action program plan, a Federal equal opportunity recruitment plan, an affirmative action program plan for handicapped and disabled veterans, and an implementation plan for the agency's upward mobility program.

Among other activities, the OEEP held 55 informal complaint counseling sessions, consulted with women's advisory groups about the special concerns of women, developed and implemented training programs, and analyzed statistical data and other information on the employment of women and minorities.

*Contracting Out Work Previously Performed "In-House"*

Under the guidelines of OMB Circular A-76, a contract was awarded to a private firm for the reproduction of copies of patent and trademark registrations, reducing the staffing level by 78 positions.

*Service to the Public*

During the fiscal year, the delay between receipt of a new patent application and the mailing of the filing receipt was reduced from a high of 100 days in February to fewer than 50 days. Further reductions are expected in FY 1983.

A cooperative agreement between the Patent and Trademark Office and the Intellectual Property Owners, Inc. resulted in the Office making available to users of the Patent Public Search Room access to several online patent data bases upon payment of a fee. During the coming year, additional data bases will be added.

A special service has been made available to out-of-town requesters who wish to inspect patented files or abandoned or registered trademark files upon arrival in the area. Those who have to travel a considerable distance to inspect files may place their requests by telephone five days in advance of arrival.

A user survey was conducted to gather data on the public perception of the adequacy of services provided by the PTO and to identify principal areas of concern. There were 325 respondents, 89 of which are local bar association members, 88 out-of-town patent law association members, and 148 Patent Public Search Room users. A specific action plan was devel-

oped to improve services perceived as poor or fair by the majority of respondents. Most of the actions will take place in FY 1983.

*Space*

To provide additional space for projected staffing increases and to improve the overall distribution and utilization of existing space, the PTO acquired approximately 50,000 square feet of office and special space and about 44,000 square feet of warehouse space during FY 1982.

The additional office space allows for some presently separated organizations to be consolidated into one location, enabling a more effective and efficient utilization of space and staff. The special space acquired is a computer site, including extensive support equipment. This will enable the Office to install its new mainframe computer system at less cost and on a more timely basis than would otherwise have been possible.

The acquisition of the additional warehouse space has enabled the Office to transfer thousands of patented files to an off-site file repository. Materials formerly stored in four separate locations were consolidated in a new supply center/warehouse, and a computerized system that tracks supply requests, reports on inventory levels, and indicates time for reordering stock was implemented.

# appendix

# STATISTICAL TABLES

## Table 1.—OPERATING COSTS

(In Thousands of Dollars)

| | [1]1980 | 1981 | 1982 |
|---|---|---|---|
| OPERATING UNITS | | | |
| Patent Process | $75,147 | $80,819 | $89,946 |
| Trademark Process | 6,643 | 7,992 | 9,762 |
| Information Dissemination | 21,958 | 24,311 | 26,128 |
| Total Operating Units Costs | 103,748 | 113,122 | 125,836 |
| SALARIES AND EXPENSES | | | |
| Personnel Compensation | 70,238 | 76,201 | 82,583 |
| Personnel Benefits | 6,259 | 6,836 | 7,682 |
| Printing and Reproduction | 11,619 | 15,748 | 15,882 |
| Other Costs | 15,632 | 14,337 | 19,689 |
| Total Salaries and Expenses | $103,748 | $113,122 | $125,836 |

[1] Several changes were made in reporting costs for FY 1980. Most significant was a shift of $11,619,000 in printing costs from Information Dissemination to the Patent Process and Trademark Process.

## Table 2.—TOTAL CONGRESSIONAL APPROPRIATIONS[1]

(1973–1982)

| Fiscal Year | Total Actual Appropriations (Including Supplemental Appropriations[2]) | Appropriation Changes[3] |
|---|---|---|
| 1973 | $67,280 | $1,247 |
| 1974 | 71,982 | 921 |
| 1975 | 77,566 | -446 |
| 1976[4] | 85,350 | 1,624 |
| 1977[4] | 89,400 | -1,497 |
| 1978 | 94,321 | 1,458 |
| 1979 | 96,654 | -1,692 |
| 1980 | 104,833 | 32 |
| 1981 | 116,150 | 3,809 |
| 1982 | 125,335 | 3,374 |

[1] In thousands of dollars.

[2] "Supplemental Appropriations" are the funding approved by the Congress to be added to the PTO's regular appropriation to cover certain changed circumstances—most commonly pay increases.

[3] "Appropriation Changes" represent the changes in funding level from the previous fiscal year, after pay increases and other uncontrollable cost increases have been taken into account.

[4] The Transition Quarter, July 1, 1976, to September 30, 1976, has been omitted.

## Table 3.—END OF YEAR EMPLOYMENT[1]

(1976–1982)[2]

| | [2]1976 | [2]1977 | 1978 | 1979 | 1980 | 1981 | 1982 |
|---|---|---|---|---|---|---|---|
| OPERATING UNITS:[3] | | | | | | | |
| Information Dissemination | 953 | 867 | 823 | 788 | 697 | 732 | 628 |
| Patent Process | 1,829 | 1,788 | 1,795 | 1,719 | 1,671 | 1,776 | 1,950 |
| Trademark Process | 173 | 167 | 173 | 196 | 215 | 247 | 272 |
| Total Operating Units Employment | 2,955 | 2,822 | 2,791 | 2,703 | 2,583 | 2,755 | 2,850 |
| PERSONNEL STAFFING: | | | | | | | |
| Patent Professional | 1,047 | 1,063 | 1,064 | 995 | 949 | 985 | 1,175 |
| Trademark Professional | 71 | 72 | 68 | 79 | 88 | 98 | 106 |
| All Others | 1,837 | 1,687 | 1,659 | 1,629 | 1,546 | 1,672 | 1,569 |
| Total Personnel Staffing | 2,955 | 2,822 | 2,791 | 2,703 | 2,583 | 2,755 | 2,850 |

[1] Total paid employment, including full time permanent and others.
[2] The Transition Quarter, July 1, 1976, to September 30, 1976, has been omitted.
[3] The names of the PTO activities were changed in FY 1981, but the activities remained essentially the same.

## Table 4.—INCOME FROM FEES

(In Thousands of Dollars)

| Source of Income | 1979 | 1980 | 1981 | 1982 |
|---|---|---|---|---|
| PATENT-RELATED FEES | | | | |
| Filing Fees | | | | |
| Patent Applications | $8,861 | $9,400 | $10,004 | $10,133 |
| Design Applications | 149 | 152 | 159 | 166 |
| Patent Reissue Applications | 56 | 52 | 44 | 34 |
| Disclosure Documents | 98 | 98 | 90 | 83 |
| Issue Fees | | | | |
| Patent | 9,166 | 8,905 | 10,030 | 8,980 |
| Design | 103 | 122 | 149 | 147 |
| PCT Application and Search Fees | 178 | 297 | 346 | 249 |
| Disclaimers | 27 | 24 | 24 | 24 |
| Attorney Registration and Certificates | 43 | 36 | 34 | 40 |
| Total Patent-Related Fees | 18,681 | 19,086 | 20,880 | 19,856 |
| TRADEMARK-RELATED FEES | | | | |
| Applications | 1,738 | 1,829 | 2,000 | 2,373 |
| Oppositions and Cancellations | 47 | 40 | 50 | 63 |
| Renewals | 158 | 166 | 145 | 145 |
| Use/Non-Use Affidavits | 154 | 164 | 172 | 175 |
| Total Trademark-Related Fees | 2,097 | 2,199 | 2,367 | 2,756 |
| SERVICE AND RELATED FEES | | | | |
| Appeals, including briefs | 715 | 729 | 707 | 686 |
| Certificates of Correction | 43 | 38 | 45 | 50 |
| Certification of Records | 105 | 101 | 106 | 114 |
| Making, Mounting, Correcting and Comparing Drawings | 237 | 236 | 214 | 119 |
| Petitions | 40 | 38 | 36 | 35 |
| Printed Copies | 1,707 | 1,597 | 1,826 | 1,508 |
| Recording Assignments | 1,556 | 1,653 | 1,836 | 1,879 |
| Reproduction of Records | 887 | 753 | 814 | 819 |
| Special Services on Orders | 160 | 187 | 213 | 221 |
| Subscription Service for Copies | 21 | 19 | 21 | 23 |
| Total Services and Related Fees | 5,471 | 5,351 | 5,818 | 5,454 |
| MISCELLANEOUS OTHER FEES[1] | 862 | 556 | 428 | 469 |
| TOTAL INCOME FROM FEES | $27,111 | $27,192 | $29,493 | $28,535 |

[1] Approximately 35 types of fees.

## Table 5.—SUMMARY OF PATENT EXAMINING ACTIVITIES

(As of September 30, 1982)

| Patent Examining Activity | 1980 | 1981 | 1982 | Average 1973-82 |
|---|---|---|---|---|
| PATENT APPLICATIONS FILED | | | | |
| Utility[1] | 104,219 | 106,828 | 116,052 | 103,638 |
| Reissue | 641 | 538 | 486 | 522 |
| Plant | 186 | 147 | 193 | 159 |
| Design | 7,269 | 7,197 | 8,069 | 6,731 |
| Total Patent Appls. Filed | 112,315 | 114,710 | 124,800 | 111,050 |
| FIRST ACTIONS | | | | |
| Design | 7,278 | 7,182 | 6,066 | 6,191 |
| All Others[3] | 88,218 | 83,497 | 89,777 | 100,222 |
| PATENT APPLICATIONS ALLOWED[2] | | | | |
| Design | 4,639 | 5,311 | 4,458 | 4,364 |
| All Others[3] | 60,611 | 58,187 | 54,484 | 67,480 |
| Total Patent Appls. Allowed | 65,250 | 63,498 | 58,942 | 71,844 |
| PATENT APPLICATIONS ABANDONED | | | | |
| Design | 2,128 | 2,525 | 2,015 | 1,926 |
| All Others[3] | 29,106 | 30,058 | 29,099 | 34,099 |
| Total Patent Appls. Aband. | 31,234 | 32,583 | 31,114 | 36,025 |
| TOTAL PATENT APPLICATION DISPOSALS[4] | 96,484 | 96,081 | 90,056 | 107,869 |
| PATENTS ISSUED[5] | | | | |
| Utility | 56,618 | 66,617 | 59,449 | 66,048 |
| Reissue | 305 | 343 | 284 | 351 |
| Plant | 137 | 168 | 120 | 164 |
| Design | 4,167 | 3,882 | 5,299 | 4,096 |
| Total Patents Issued | 61,227 | 71,010 | 65,152 | 70,659 |
| PATENTS WITHHELD FROM ISSUANCE[6] | 1,712 | 2,004 | 2,130 | 2,064 |
| PENDENY TIME OF AVERAGE PATENT APPLICATION[7] | 22.6 | 22.4 | 24.2 | — |
| REEXAMINATIONS REQUESTED[8] | — | 78 | 187 | — |
| REEXAMINATION CERTIFICATES ISSUED | — | 0 | 21 | — |
| PCT SEARCH REPORTS PREPARED[9] | 1,442 | 2,045 | 1,705 | — |
| PCT INTERNATIONAL APPLICATIONS RECEIVED | 1,647 | 1,797 | 1,867 | — |

[1] Chemical, electrical, and mechnical applications.

[2] "Allowed Patent Applications" are applications awaiting issuance (i.e., publication) as patents.

[3] Utility, plant, and reissue applications.

[4] Disposals by examiners—i.e., the sum of applications allowed and applications abandoned. Final disposals can be obtained by adding patents issued and applications abandoned. The Office measures the productivity of examiners in "production units", formerly called "balanced disposals." Production units are obtained by averaging first actions and examiners disposals.

[5] Excludes withdrawn numbers.

[6] For nonpayment of final issue fee (35 U.S.C. 151).

[7] Average time (months) between filing and issuance/abandonment of utility, plant, and reissue applications (excluding designs).

[8] Reexamination was instituted on July 1, 1981, in accordance with provisions of Patent Law 96-517.

[9] PCT entered into force on January 24, 1978, and applications were accepted for filing beginning June 1, 1978.

## Table 6.—PATENT APPLICATIONS FILED

(1963–1982)

| Year | Utility[1] | Design | Plant | Reissue | Total |
|---|---|---|---|---|---|
| 1963 | 84,620 | 4,841 | 149 | 277 | 89,887 |
| 1964 | 87,482 | 5,067 | 147 | 207 | 92,903 |
| 1965 | 88,908 | 5,319 | 89 | 237 | 94,553 |
| 1966 | 93,022 | 5,187 | 103 | 266 | 98,578 |
| 1967 | 88,167 | 4,774 | 100 | 241 | 93,282 |
| 1968 | 90,252 | 4,889 | 107 | 304 | 95,552 |
| 1969 | 96,342 | 5,432 | 103 | 376 | 102,253 |
| 1970 | 100,116 | 5,722 | 113 | 344 | 106,295 |
| 1971 | 103,733 | 6,057 | 161 | 266 | 110,217 |
| 1972 | 102,663 | 6,358 | 166 | 293 | 109,480 |
| 1973 | 100,900 | 5,541 | 109 | 382 | 106,932 |
| 1974 | 103,479 | 4,948 | 109 | 391 | 108,927 |
| 1975 | 101,283 | 5,751 | 163 | 465 | 107,662 |
| 1976[2] | 101,807 | 6,838 | 144 | 438 | 109,227 |
| 1977[2] | 101,821 | 7,186 | 202 | 564 | 109,773 |
| 1978 | 100,473 | 7,440 | 171 | 660 | 108,744 |
| 1979 | 99,516 | 7,070 | 166 | 657 | 107,409 |
| 1980 | 104,219 | 7,269 | 186 | 641 | 112,315 |
| 1981 | 106,828 | 7,197 | 147 | 538 | 114,710 |
| 1982 | 116,052 | 8,069 | 193 | 486 | 124,800 |

[1] Chemical, electrical, and mechanical applications.
[2] The Transition Quarter, July 1, 1976, to September 30, 1976, has been omitted.

## Table 7.—SUMMARY OF PENDING PATENT APPLICATIONS

(As of September 30, 1982)

| Stage of Processing | Utility, Plant and Reissue Applns. | Design Applns. | All Pat. Applns. |
|---|---|---|---|
| IN PREEXAMINING PROCESSING | 65,364 | 1,059 | 66,423 |
| UNDER EXAMINATION | | | |
| Amended, Awaiting Action by Examiner | 10,332 | 582 | 10,914 |
| Awaiting First Action by Examiner | 66,224 | 10,521 | 76,745 |
| Awaiting Response by Applicant | 53,675 | 1,651 | 55,326 |
| In Interference | 770 | 1 | 771 |
| On Appeal | 6,229 | 101 | 6,330 |
| Total Under Examination | 137,230 | 12,856 | 150,086 |
| IN POSTEXAMINATION PROCESSING | | | |
| Awaiting Payment of Issue Fee | 10,763 | 428 | 11,191 |
| D-10's (Secret Cases in Condition for Allowance) | 2,646 | 0 | 2,646 |
| Total in Postexamination Processing | 13,409 | 428 | 13,837 |
| IN ISSUE PROCESSING | | | |
| Awaiting Printing Preprocessing[1] | 6,808 | 1,137 | 7,945 |
| Awaiting Printing | 9,013 | 680 | 9,693 |
| Total in Issue Processing | 15,821 | 1,817 | 17,638 |
| TOTAL IN PATENT AND TRADEMARK OFFICE | 231,824 | 16,160 | 247,984 |

[1] In the Patent and Trademark Office, with the issue fee paid.

## Table 8.—PATENTS PENDING PRIOR TO ALLOWANCE[1]

(1963–1982)

| Year | Awaiting Action by Examiner[2] | Total Applns. Pending[3] | Year | Awaiting Action by Examiner[2] | Total Applns. Pending[3] |
|---|---|---|---|---|---|
| 1963 | 119,946 | 215,577 | 1973 | 64,940 | 175,281 |
| 1964 | 129,151 | 226,066 | 1974 | 47,411 | 162,447 |
| 1965 | 149,284 | 212,416 | 1975 | 41,916 | 146,464 |
| 1966 | 147,664 | 214,664 | 1976[4] | 43,776 | 142,379 |
| 1967 | 136,672 | 205,768 | 1977[4] | 60,706 | 144,542 |
| 1968 | 109,509 | 194,087 | 1978 | 57,031 | 144,056 |
| 1969 | 103,704 | [5]196,338 | 1979 | 50,085 | 151,702 |
| 1970 | 81,548 | 192,575 | 1980 | 64,289 | 167,533 |
| 1971 | 64,890 | 190,103 | 1981 | 71,033 | 181,727 |
| 1972 | 70,477 | 189,177 | 1982 | 87,659 | 216,509 |

[1] Pending at end of period indicated including utility, reissue, plant, and design applications. Does not include allowed applications.
[2] Through 1965, includes applications having suspended actions.
[3] Applications awaiting examination, including those in preexamination processing.
[4] The Transition Quarter, July 1, 1976, to September 30, 1976, has been omitted.
[5] Revised.

## Table 9.—PATENTS ISSUED[1]

(1963–1982)

| Year | Utility[2] | Design | Plant | Reissue | Total |
|---|---|---|---|---|---|
| 1963 | 53,958 | 2,411 | 114 | 215 | 56,698 |
| 1964 | 44,050 | 3,019 | 147 | 203 | 47,419 |
| 1965 | 52,914 | 2,979 | 127 | 204 | 56,224 |
| 1966 | 66,243 | 3,638 | 105 | 238 | 70,224 |
| 1967 | 70,028 | 2,840 | 102 | 180 | 73,150 |
| 1968 | 61,599 | 3,539 | 67 | 185 | 65,390 |
| 1969 | 61,957 | 2,991 | 80 | 201 | 65,229 |
| 1970 | 66,339 | 3,401 | 80 | 311 | 70,131 |
| 1971 | [3]70,387 | 3,097 | 77 | 222 | [3]73,783 |
| 1972 | 83,221 | 3,032 | 170 | 264 | 86,687 |
| 1973 | [4]67,490 | 3,441 | 146 | 274 | [4]71,351 |
| 1974 | 79,300 | 4,439 | 211 | 367 | 84,317 |
| 1975 | [5]70,179 | 3,632 | 155 | 398 | [5]74,364 |
| 1976[6] | [5]75,325 | 4,781 | 195 | 434 | [5]80,735 |
| 1977[6] | 67,972 | 4,261 | 164 | 435 | 72,832 |
| 1978 | 65,963 | 3,797 | 194 | 366 | 70,320 |
| 1979 | 51,686 | 3,269 | 151 | 312 | 55,418 |
| 1980 | 56,618 | 4,167 | 137 | 305 | 61,227 |
| 1981 | 66,617 | 3,882 | 168 | 343 | 71,010 |
| 1982 | 59,449 | 5,299 | 120 | 284 | 65,152 |

[1] Excludes withdrawn numbers beginning with FY 1978.
[2] Chemical, electrical, and mechanical applications.
[3] Does not include 1,300 voided numbers.
[4] Does not include 1,418 voided numbers.
[5] In 1975, under the trial voluntary protest program (now abolished), an additional 667 applications were published but not issued. In 1976, there were 1,303 published but not issued.
[6] The Transition Quarter, July 1, 1976, to September 30, 1976, has been omitted.

## Table 10.—REEXAMINATION

| | July 1, 1982—September 30, 1981[1] | 1982 |
|---|---|---|
| REQUESTS FILED | | |
| By patent owner | 18 | 68 |
| By third party | 60 | 116 |
| Commissioner ordered | 0 | 3 |
| Total | 78 | 187 |
| DETERMINATIONS ON REQUESTS | | |
| Requests granted | | |
| By examiner | 30 | 156 |
| By petition | 2 | 7 |
| Requests denied | 2 | 39 |
| Total | 34 | 202 |
| REQUESTS HAVING RELATED LITIGATION | 30 | 37 |
| COURT ORDERED REEXAMINATIONS | 4 | 3 |
| AVERAGE AGE OF PATENTS (years) | 6.99 | 5.17 |
| AGE RANGE OF PATENTS (years) | 0.47-18.25 | 0.25-21.08 |
| AVERAGE CLAIMS PER REQUEST | 13.20 | 14.56 |
| AVERAGE REFERENCES PER REQUEST | 9.36 | 8.22 |
| FILINGS BY DISCIPLINE | | |
| Chemical | 23 | 57 |
| Electrical | 25 | 59 |
| Mechanical | 30 | 71 |
| Total | 78 | 187 |

[1] Reexamination was instituted on July 1, 1981, in accordance with provisions of P.L. 96-517.

## Table 11.—SUMMARY OF CONTESTED PATENT CASES

(Within the Patent and Trademark Office)

| Patent and Trademark Office Tribunal | Totals |
|---|---|
| BOARD OF PATENT APPEALS | |
| Cases Pending as of 9/30/81: | |
| Appeals | 4,968 |
| Reconsideration | 66 |
| Cases Filed During FY 82: | |
| Appeals | 3,506 |
| Reconsideration | 419 |
| Total | 8,856 |
| Disposals | |
| Affirmed | 2,378 |
| Affirmed-In-Part | 256 |
| Dismissed | 7 |
| Reversed | 854 |
| Suspended | 0 |
| Withdrawn | 198 |
| Total Disposals[1] | 4,067 |
| Total Cases Pending as of 9/30/82[2] | 4,892 |
| BOARD OF PATENT INTERFERENCES | |
| Interferences Pending as of 9/30/81 | 531 |
| Interferences Declared During FY 82 | 193 |
| Total | 724 |
| Disposals: | |
| Interferences Terminated | 242 |
| Total Interferences Awaiting Final Board Disposition as of 9/30/82: | |
| Awaiting a Final Decision | 51 |
| Awaiting the Setting of a Final Hearing | 11 |
| Set for Final Hearing | 14 |
| Total Interferences Awaiting Final Board Disposition | 76 |
| Total Interferences Pending as of 9/30/82 | 482 |

[1] Reconsideration included: 374
[2] Reconsideration included: 111

## Table 12.—U.S. GOVERNMENT AGENCY PATENTS[1]

(1972–1982)

| Agency | 1972 | 1973 | 1974 | 1975 | [2]1976 | [2]1977 | 1978 | 1979 | 1980 | 1981 | 1982 | Total (1972–1982) |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Agriculture | 119 | 97 | 127 | 130 | 159 | 104 | 70 | 39 | 54 | 53 | 46 | 998 |
| Air Force | 195 | 171 | 160 | 139 | 164 | 183 | 137 | 115 | 159 | 123 | 89 | 1,635 |
| Army | 397 | 384 | 446 | 301 | 374 | 376 | 262 | 214 | 233 | 229 | 196 | 3,412 |
| AEC[3] | 309 | 220 | 276 | 111 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 916 |
| Commerce | 8 | 3 | 3 | 5 | 14 | 7 | 5 | 9 | 6 | 5 | 7 | 72 |
| Energy | 0 | 0 | 0 | 131 | 273 | 224 | 198 | 166 | 159 | 233 | 210 | 1,595 |
| State | 0 | 0 | 2 | 0 | 3 | 1 | 1 | 0 | 0 | 0 | 0 | 7 |
| Transportation | 0 | 0 | 7 | 7 | 11 | 0 | 0 | 4 | 3 | 3 | 1 | 38 |
| NSA | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 1 | 1 | 2 | 6 |
| EPA | 0 | 2 | 6 | 6 | 9 | 4 | 3 | 4 | 3 | 10 | 1 | 48 |
| FAA | 7 | 2 | 1 | 0 | 0 | 0 | 0 | 3 | 0 | 0 | 0 | 13 |
| FBI | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| HEW/HHS | 24 | 22 | 39 | 34 | 40 | 17 | 31 | 20 | 23 | 27 | 19 | 296 |
| Interior | 76 | 48 | 57 | 56 | 67 | 68 | 59 | 20 | 35 | 43 | 27 | 556 |
| Library of Congress | 0 | 0 | 0 | 0 | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 2 |
| NASA | 313 | 187 | 285 | 149 | 139 | 93 | 116 | 80 | 74 | 70 | 73 | 1,581 |
| NSF | 2 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 3 |
| Navy | 651 | 639 | 626 | 522 | 731 | 535 | 363 | 299 | 390 | 326 | 319 | 5,401 |
| Postal Service | 1 | 0 | 0 | 0 | 1 | 4 | 0 | 0 | 0 | 0 | 0 | 9 |
| TVA | 2 | 7 | 4 | 4 | 8 | 5 | 2 | 0 | 0 | 0 | 0 | 32 |
| Treasury | 0 | 1 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 2 | 1 | 5 |
| VA | 0 | 0 | 2 | 3 | 1 | 1 | 2 | 1 | 2 | 0 | 2 | 14 |
| USA[4] | 7 | 17 | 8 | 15 | 33 | 45 | 30 | 13 | 14 | 11 | 12 | 206 |
| Justice | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 0 | 0 | 0 | 2 |
| FCC | 0 | 0 | 0 | 0 | 0 | 5 | 1 | 0 | 0 | 2 | 2 | 10 |
| Total | 2,111 | 1,800 | 2,050 | 1,613 | 2,029 | 1,673 | 1,283 | 992 | 1,156 | 1,144 | 1,007 | 16,858 |

[1] Data in this table represent patents assigned to agencies at the time of patent issue.

[2] The Transition Quarter, July 1, 1976, to September 30, 1976, has been omitted.

[3] AEC absorbed into DOE in 1976.

[4] United States of America—no agency indicated in data base.

## Table 13.—PATENTS ISSUED TO RESIDENTS OF THE UNITED STATES

(1975–1982)[1]

| State/Territory | 1975 | [2]1976 | [2]1977 | 1978 | 1979 | 1980 | 1981 | 1982 |
|---|---|---|---|---|---|---|---|---|
| Alabama | 221 | 265 | 208 | 205 | 163 | 201 | 196 | 218 |
| Alaska | 30 | 34 | 26 | 29 | 18 | 31 | 12 | 20 |
| American Samoa | 13 | 13 | 5 | 4 | 3 | 8 | 0 | 0 |
| Arizona | 436 | 511 | 481 | 464 | 382 | 446 | 555 | 460 |
| Arkansas | 91 | 102 | 102 | 108 | 65 | 73 | 102 | 66 |
| California | 6,510 | 7,101 | 6,923 | 6,211 | 4,839 | 5,335 | 6,038 | 5,481 |
| Canal Zone | 8 | 5 | 2 | 4 | 4 | 2 | 1 | 0 |
| Colorado | 595 | 649 | 617 | 561 | 471 | 528 | 593 | 534 |
| Connecticut | 1,612 | 1,752 | 1,552 | 1,385 | 1,086 | 1,210 | 1,273 | 1,202 |
| Delaware | 461 | 513 | 413 | 384 | 264 | 271 | 326 | 298 |
| District of Columbia | 88 | 83 | 70 | 62 | 58 | 58 | 76 | 47 |
| Florida | 1,059 | 1,085 | 1,096 | 1,051 | 798 | 1,024 | 1,258 | 1,062 |
| Georgia | 353 | 383 | 337 | 346 | 311 | 337 | 424 | 410 |
| Guam | 3 | 4 | 1 | 3 | 2 | 1 | 0 | 0 |
| Hawaii | 61 | 51 | 43 | 41 | 32 | 32 | 49 | 31 |
| Idaho | 99 | 94 | 80 | 73 | 60 | 80 | 88 | 86 |
| Illinois | 3,959 | 4,173 | 3,751 | 3,390 | 2,581 | 2,868 | 2,882 | 2,702 |
| Indiana | 1,172 | 1,177 | 1,069 | 998 | 813 | 865 | 1,016 | 1,013 |
| Iowa | 386 | 446 | 451 | 366 | 261 | 331 | 379 | 324 |
| Kansas | 362 | 351 | 302 | 307 | 256 | 255 | 251 | 202 |
| Kentucky | 343 | 323 | 281 | 288 | 227 | 262 | 282 | 287 |
| Louisiana | 357 | 404 | 352 | 319 | 266 | 282 | 327 | 289 |
| Maine | 76 | 61 | 52 | 71 | 53 | 61 | 86 | 84 |
| Maryland | 913 | 1,072 | 861 | 829 | 665 | 702 | 770 | 749 |
| Massachusetts | 2,062 | 2,192 | 1,860 | 1,758 | 1,475 | 1,555 | 1,754 | 1,602 |
| Michigan | 2,832 | 2,691 | 2,474 | 2,373 | 1,875 | 2,130 | 2,457 | 1,912 |
| Minnesota | 1,029 | 1,082 | 968 | 905 | 786 | 851 | 975 | 871 |
| Mississippi | 103 | 100 | 74 | 76 | 68 | 68 | 81 | 68 |
| Missouri | 712 | 728 | 651 | 687 | 474 | 613 | 729 | 583 |
| Montana | 60 | 48 | 45 | 65 | 35 | 55 | 71 | 45 |
| Nebraska | 147 | 140 | 130 | 119 | 108 | 109 | 129 | 125 |
| Nevada | 92 | 85 | 111 | 105 | 84 | 88 | 103 | 100 |
| New Hampshire | 165 | 171 | 176 | 170 | 137 | 160 | 174 | 203 |
| New Jersey | 3,723 | 4,188 | 3,687 | 3,594 | 2,719 | 2,913 | 3,279 | 3,022 |
| New Mexico | 81 | 145 | 116 | 104 | 68 | 105 | 119 | 104 |
| New York | 5,015 | 5,109 | 4,737 | 4,259 | 3,168 | 3,406 | 3,812 | 3,574 |
| North Carolina | 535 | 576 | 540 | 529 | 409 | 491 | 600 | 509 |
| North Dakota | 46 | 45 | 44 | 58 | 30 | 35 | 30 | 42 |
| Ohio | 3,215 | 3,223 | 2,898 | 2,761 | 2,026 | 2,165 | 2,624 | 2,299 |
| Oklahoma | 747 | 725 | 618 | 655 | 519 | 592 | 709 | 628 |
| Oregon | 348 | 357 | 328 | 349 | 281 | 314 | 357 | 310 |
| Pennsylvania | 3,578 | 3,583 | 3,223 | 3,029 | 2,277 | 2,410 | 2,797 | 2,449 |
| Puerto Rico | 25 | 14 | 25 | 25 | 15 | 9 | 27 | 18 |
| Rhode Island | 215 | 217 | 209 | 164 | 128 | 143 | 137 | 132 |
| South Carolina | 259 | 274 | 233 | 281 | 183 | 232 | 260 | 264 |
| South Dakota | 45 | 48 | 43 | 40 | 27 | 17 | 38 | 33 |
| Tennessee | 399 | 416 | 374 | 372 | 311 | 376 | 451 | 378 |
| Texas | 2,153 | 2,235 | 2,063 | 2,037 | 1,606 | 1,789 | 2,030 | 1,997 |
| Utah | 230 | 242 | 225 | 191 | 169 | 213 | 217 | 198 |
| Vermont | 76 | 70 | 75 | 79 | 61 | 56 | 85 | 80 |

## Table 13.—PATENTS ISSUED TO RESIDENTS OF THE UNITED STATES—Continued

(1975–1982)[1]

| State/Territory | 1975 | [2]1976 | [2]1977 | 1978 | 1979 | 1980 | 1981 | 1982 |
|---|---|---|---|---|---|---|---|---|
| Virgin Islands | 19 | 7 | 9 | 4 | 7 | 7 | 3 | 2 |
| Virginia | 644 | 696 | 637 | 600 | 426 | 511 | 618 | 564 |
| Washington | 530 | 595 | 561 | 540 | 449 | 518 | 534 | 505 |
| West Virginia | 126 | 162 | 162 | 172 | 134 | 144 | 161 | 150 |
| Wisconsin | 1,041 | 948 | 882 | 846 | 618 | 760 | 806 | 748 |
| Wyoming | 34 | 43 | 38 | 31 | 32 | 35 | 43 | 19 |
| U.S. Air Force[3] | 0 | 1 | 1 | 0 | 0 | 1 | 0 | 0 |
| U.S. Navy[3] | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 |
| TOTAL | 49,494 | 51,808 | 47,292 | 44,482 | 34,383 | 38,134 | 43,194 | 39,099 |

[1] Data includes design, plant, and reissue patents.
[2] The Transition Quarter, July 1, 1976, to September 30, 1976, has been omitted.
[3] Represents residents of the United States with military addresses.

## Table 14.—UNITED STATES PATENT APPLICATIONS FILED BY RESIDENTS OF FOREIGN COUNTRIES

(1979–1982)

| Country | 1979 | 1980 | 1981 | 1982 |
|---|---|---|---|---|
| Antigua | 0 | 0 | 1 | 0 |
| Argentina | 72 | 54 | 62 | 40 |
| Australia | 630 | 685 | 718 | 756 |
| Austria | 463 | 399 | 517 | 458 |
| Bahamas | 13 | 5 | 8 | 5 |
| Bahrain | 1 | 1 | 0 | 0 |
| Barbados | 1 | 0 | 0 | 0 |
| Belgium | 408 | 389 | 403 | 456 |
| Bermuda | 5 | 2 | 1 | 1 |
| Bolivia | 4 | 0 | 2 | 1 |
| Brazil | 73 | 61 | 68 | 66 |
| British Virgin Islands | 0 | 0 | 2 | 1 |
| Brunei | 0 | 0 | 1 | 0 |
| Bulgaria | 36 | 39 | 36 | 34 |
| Canada | 2,230 | 2,289 | 2,413 | 2,538 |
| Cayman Islands | 0 | 0 | 0 | 1 |
| Chile | 8 | 9 | 12 | 11 |
| China, People's Republic of | 12 | 12 | 5 | 16 |
| Colombia | 9 | 5 | 5 | 19 |
| Congo | 1 | 1 | 0 | 0 |
| Costa Rica | 8 | 10 | 0 | 1 |
| Cuba | 4 | 2 | 1 | 1 |
| Cyprus | 1 | 1 | 1 | 1 |
| Czechoslovakia | 79 | 88 | 82 | 79 |
| Denmark | 273 | 213 | 275 | 322 |
| Dominican Republic | 0 | 3 | 1 | 1 |
| Ecuador | 1 | 1 | 2 | 0 |
| Egypt | 8 | 3 | 2 | 3 |
| El Salvador | 0 | 0 | 1 | 0 |
| EPO | 0 | 0 | 0 | 1 |

## Table 14.—UNITED STATES PATENT APPLICATIONS FILED BY RESIDENTS OF FOREIGN COUNTRIES—Continued

(1979-1982)

| Country | 1979 | 1980 | 1981 | 1982 |
|---|---|---|---|---|
| Finland | 261 | 294 | 275 | 342 |
| France | 3,152 | 3,533 | 3,519 | 3,732 |
| Gabon | 0 | 0 | 1 | 1 |
| Germany, Dem. Republic of | 126 | 109 | 88 | 119 |
| Germany, Fed. Republic of | 9,091 | 9,872 | 10,133 | 10,979 |
| Gilbert Islands | 0 | 2 | 0 | 0 |
| Greece | 20 | 15 | 31 | 65 |
| Greenland | 0 | 1 | 0 | 0 |
| Guatemala | 5 | 2 | 2 | 6 |
| Guina | 0 | 0 | 1 | 1 |
| Haiti | 2 | 0 | 2 | 2 |
| Honduras | 0 | 0 | 1 | 2 |
| Hong Kong | 112 | 118 | 103 | 157 |
| Hungary | 182 | 201 | 207 | 253 |
| Iceland | 4 | 2 | 5 | 3 |
| India | 29 | 22 | 18 | 25 |
| Indonesia | 0 | 9 | 2 | 6 |
| Iran | 3 | 2 | 3 | 0 |
| Iraq | 0 | 0 | 1 | 1 |
| Ireland | 44 | 45 | 54 | 68 |
| Israel | 248 | 272 | 290 | 359 |
| Italy | 1,527 | 1,520 | 1,544 | 1,769 |
| Ivory Coast | 0 | 0 | 1 | 1 |
| Jamaica | 3 | 1 | 0 | 2 |
| Japan | 11,053 | 13,079 | 14,375 | 17,349 |
| Jordan | 0 | 1 | 1 | 0 |
| Kenya | 1 | 1 | 0 | 0 |
| Korea, Dem. Republic of | 2 | 8 | 3 | 2 |
| Korea, Republic of | 37 | 39 | 55 | 87 |
| Kuwait | 1 | 12 | 8 | 3 |
| Lebanon | 4 | 1 | 3 | 1 |
| Liberia | 1 | 0 | 0 | 0 |
| Libya | 3 | 0 | 0 | 0 |
| Liechtenstein | 23 | 21 | 28 | 15 |
| Luxembourg | 35 | 31 | 44 | 55 |
| Madagascar | 1 | 0 | 0 | 0 |
| Malawi | 1 | 0 | 0 | 0 |
| Malaysia | 1 | 4 | 8 | 7 |
| Malta | 0 | 1 | 0 | 1 |
| Martinique | 1 | 0 | 0 | 0 |
| Mauritania | 2 | 0 | 0 | 0 |
| Mauritius | 0 | 1 | 0 | 0 |
| Mexico | 91 | 83 | 104 | 77 |
| Midway Islands | 0 | 0 | 1 | 0 |
| Monaco | 13 | 8 | 6 | 11 |
| Morocco | 0 | 2 | 2 | 1 |
| Nauru | 0 | 1 | 0 | 0 |
| Netherlands | 1,035 | 1,035 | 1,109 | 1,191 |
| New Zealand | 113 | 132 | 126 | 119 |
| Nicaragua | 4 | 0 | 0 | 0 |

## Table 14.—UNITED STATES PATENT APPLICATIONS FILED BY RESIDENTS OF FOREIGN COUNTRIES—Continued

(1979-1982)

| Country | 1979 | 1980 | 1981 | 1982 |
|---|---|---|---|---|
| Nigeria | 3 | 4 | 1 | 0 |
| Niue | 0 | 1 | 0 | 0 |
| Norway | 168 | 127 | 160 | 156 |
| Pakistan | 0 | 2 | 2 | 2 |
| Panama | 3 | 2 | 1 | 0 |
| Paraguay | 0 | 1 | 2 | 0 |
| Peru | 0 | 3 | 2 | 3 |
| Philippines | 9 | 17 | 12 | 28 |
| Poland | 87 | 71 | 50 | 30 |
| Portugal | 6 | 7 | 3 | 9 |
| Romania | 21 | 8 | 13 | 12 |
| San Marino | 1 | 3 | 0 | 0 |
| Saudi Arabia | 0 | 2 | 3 | 13 |
| Senegal | 2 | 0 | 0 | 1 |
| Singapore | 11 | 7 | 5 | 9 |
| South Africa | 217 | 188 | 219 | 250 |
| Soviet Union | 550 | 341 | 472 | 376 |
| Spain | 177 | 168 | 190 | 175 |
| St. Helena | 0 | 1 | 0 | 0 |
| Sudan | 1 | 0 | 0 | 0 |
| Swaziland | 2 | 0 | 0 | 1 |
| Sweden | 1,301 | 1,256 | 1,447 | 1,347 |
| Switzerland | 1,967 | 1,994 | 1,946 | 1,973 |
| Syria | 0 | 0 | 0 | 1 |
| Taiwan | 254 | 369 | 423 | 583 |
| Tanzania | 0 | 0 | 1 | 0 |
| Thailand | 6 | 5 | 4 | 5 |
| Trinidad & Tobago | 6 | 0 | 1 | 2 |
| Tunisia | 3 | 2 | 4 | 1 |
| Turkey | 4 | 5 | 2 | 3 |
| United Arab Emirates | 0 | 0 | 2 | 0 |
| United Kingdom | 4,423 | 4,470 | 4,474 | 4,807 |
| Upper Volta | 1 | 0 | 0 | 0 |
| Uruguay | 9 | 27 | 11 | 17 |
| Vanuatu | 0 | 3 | 0 | 0 |
| Venezuela | 22 | 18 | 30 | 25 |
| Vietnam, Republic of | 0 | 1 | 0 | 0 |
| Yugoslavia | 29 | 24 | 31 | 28 |
| Zambia | 0 | 0 | 0 | 2 |
| Zimbabwe | 1 | 3 | 1 | 0 |
| Total | 40,854 | 43,882 | 46,283 | 51,483 |

## Table 15.—PATENTS ISSUED BY THE UNITED STATES TO RESIDENTS OF FOREIGN COUNTRIES

(1975-1982)[1]

| Country | 1975 | [2]1976 | [2]1977 | 1978 | 1979 | 1980 | 1981 | 1982 |
|---|---|---|---|---|---|---|---|---|
| Algeria | 0 | 1 | 0 | 1 | 0 | 0 | 0 | 0 |
| Argentina | 32 | 22 | 24 | 46 | 90 | 42 | 24 | 15 |
| Australia | 253 | 299 | 272 | 297 | 252 | 269 | 360 | 330 |
| Austria | 275 | 339 | 297 | 287 | 221 | 253 | 299 | 227 |
| Bahamas | 17 | 9 | 5 | 8 | 7 | 4 | 6 | 4 |
| Bahrain | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 |
| Belgium | 302 | 337 | 306 | 280 | 213 | 235 | 296 | 220 |
| Bermuda | 3 | 2 | 4 | 1 | 1 | 2 | 5 | 1 |
| Bolivia | 9 | 6 | 0 | 3 | 0 | 7 | 1 | 0 |
| Brazil | 22 | 20 | 25 | 30 | 12 | 24 | 29 | 26 |
| Bulgaria | 15 | 27 | 36 | 32 | 18 | 19 | 33 | 16 |
| Burma | 0 | 0 | 0 | 1 | 1 | 1 | 0 | 0 |
| Canada | 1,324 | 1,411 | 1,388 | 1,338 | 1,105 | 1,118 | 1,330 | 1,145 |
| Cayman Islands | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| Chile | 5 | 7 | 2 | 4 | 3 | 2 | 3 | 2 |
| China, People's Republic of | 0 | 0 | 2 | 0 | 1 | 2 | 4 | 1 |
| Colombia | 6 | 4 | 6 | 12 | 5 | 7 | 6 | 4 |
| Congo | 4 | 12 | 11 | 1 | 0 | 1 | 1 | 0 |
| Costa Rica | 2 | 8 | 0 | 1 | 11 | 2 | 7 | 4 |
| Cuba | 1 | 1 | 1 | 3 | 1 | 3 | 3 | 0 |
| Cyprus | 2 | 1 | 2 | 1 | 0 | 2 | 0 | 1 |
| Czechoslovakia | 121 | 110 | 109 | 93 | 52 | 56 | 48 | 55 |
| Dahomey | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 0 |
| Denmark | 176 | 210 | 172 | 183 | 133 | 147 | 160 | 139 |
| Dominican Republic | 1 | 0 | 1 | 1 | 0 | 0 | 1 | 0 |
| Ecuador | 6 | 7 | 1 | 0 | 1 | 0 | 0 | 0 |
| Egypt | 1 | 4 | 1 | 0 | 1 | 1 | 3 | 2 |
| El Salvador | 1 | 5 | 3 | 2 | 5 | 1 | 0 | 0 |
| Ethiopia | 0 | 0 | 2 | 2 | 0 | 0 | 0 | 0 |
| Finland | 102 | 112 | 99 | 141 | 85 | 124 | 147 | 143 |
| France | 2,399 | 2,666 | 2,255 | 2,225 | 1,728 | 2,015 | 2,258 | 2,123 |
| Germany, Dem. Republic of | 0 | 0 | 1 | 3 | 0 | 22 | 42 | 58 |
| Germany, Fed. Republic of | 5,780 | 6,800 | 5,902 | 5,883 | 4,935 | 5,354 | 6,436 | 5,697 |
| Greece | 3 | 17 | 11 | 11 | 7 | 5 | 7 | 11 |
| Greenland | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| Guatemala | 3 | 5 | 3 | 4 | 0 | 1 | 1 | 0 |
| Guinea | 0 | 0 | 1 | 1 | 0 | 0 | 0 | 0 |
| Haiti | 4 | 4 | 1 | 0 | 2 | 2 | 1 | 2 |
| Honduras | 0 | 1 | 1 | 1 | 1 | 0 | 0 | 0 |
| Hong Kong | 19 | 46 | 32 | 33 | 30 | 48 | 60 | 71 |
| Hungary | 64 | 66 | 69 | 82 | 57 | 77 | 98 | 102 |
| Iceland | 5 | 6 | 3 | 13 | 35 | 11 | 1 | 0 |
| India | 17 | 14 | 16 | 20 | 15 | 10 | 13 | 2 |
| Indonesia | 6 | 5 | 0 | 4 | 5 | 3 | 2 | 5 |
| Iran | 4 | 5 | 3 | 5 | 8 | 7 | 2 | 0 |
| Ireland | 26 | 34 | 21 | 32 | 21 | 22 | 23 | 26 |
| Israel | 95 | 119 | 97 | 107 | 92 | 105 | 134 | 123 |
| Italy | 762 | 866 | 810 | 761 | 638 | 742 | 933 | 834 |
| Ivory Coast | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 1 |
| Jamaica | 1 | 0 | 3 | 3 | 1 | 4 | 0 | 0 |

## Table 15.—PATENTS ISSUED BY THE UNITED STATES TO RESIDENTS OF FOREIGN COUNTRIES—Continued

(1975–1982)[1]

| Country | 1975 | [2]1976 | [2]1977 | 1978 | 1979 | 1980 | 1981 | 1982 |
|---|---|---|---|---|---|---|---|---|
| Japan | 5,899 | 7,383 | 6,462 | 7,099 | 5,827 | 6,626 | 8,459 | 8,789 |
| Jordan | 0 | 0 | 0 | 1 | 1 | 0 | 0 | 0 |
| Kenya | 0 | 2 | 1 | 0 | 0 | 4 | 0 | 1 |
| Kiribati | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 |
| Korea, Dem. Republic of | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| Korea, Republic of | 8 | 9 | 5 | 14 | 9 | 9 | 20 | 18 |
| Kuwait | 1 | 0 | 0 | 1 | 2 | 0 | 0 | 0 |
| Lebanon | 7 | 4 | 0 | 3 | 0 | 0 | 2 | 1 |
| Liberia | 0 | 0 | 0 | 1 | 0 | 0 | 1 | 0 |
| Libya | 1 | 0 | 1 | 2 | 0 | 1 | 0 | 0 |
| Liechtenstein | 10 | 14 | 10 | 12 | 10 | 14 | 17 | 16 |
| Luxembourg | 13 | 20 | 14 | 21 | 19 | 17 | 26 | 34 |
| Madagascar | 0 | 0 | 0 | 1 | 1 | 0 | 0 | 0 |
| Malawi | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 |
| Malaysia | 0 | 3 | 2 | 5 | 2 | 1 | 1 | 2 |
| Mali | 0 | 0 | 0 | 2 | 0 | 1 | 0 | 0 |
| Mauritania | 1 | 0 | 0 | 0 | 0 | 0 | 1 | 0 |
| Mauritius | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 |
| Mexico | 71 | 78 | 65 | 42 | 39 | 43 | 40 | 43 |
| Monaco | 9 | 8 | 5 | 9 | 1 | 6 | 7 | 6 |
| Morocco | 1 | 0 | 4 | 1 | 1 | 1 | 0 | 0 |
| Namibia | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 |
| Netherlands | 665 | 709 | 770 | 680 | 579 | 585 | 700 | 630 |
| New Zealand | 24 | 37 | 32 | 46 | 28 | 51 | 62 | 54 |
| Nicaragua | 1 | 3 | 2 | 3 | 0 | 0 | 1 | 0 |
| Nigeria | 1 | 1 | 1 | 3 | 1 | 1 | 2 | 1 |
| Norway | 106 | 110 | 113 | 103 | 89 | 80 | 89 | 87 |
| Pakistan | 0 | 2 | 1 | 0 | 0 | 1 | 0 | 1 |
| Panama | 5 | 4 | 3 | 0 | 1 | 2 | 0 | 1 |
| Paraguay | 0 | 0 | 1 | 1 | 0 | 2 | 0 | 1 |
| Peru | 5 | 8 | 6 | 1 | 3 | 1 | 0 | 4 |
| Philippines | 7 | 8 | 10 | 8 | 6 | 3 | 6 | 8 |
| Poland | 32 | 35 | 26 | 29 | 30 | 30 | 34 | 37 |
| Portugal | 7 | 5 | 3 | 5 | 1 | 1 | 3 | 12 |
| Romania | 21 | 15 | 20 | 11 | 7 | 16 | 13 | 3 |
| Saudi Arabia | 2 | 0 | 3 | 0 | 1 | 2 | 0 | 1 |
| Senegal | 0 | 0 | 0 | 0 | 1 | 0 | 2 | 0 |
| Singapore | 6 | 4 | 3 | 5 | 2 | 5 | 4 | 2 |
| South Africa | 74 | 89 | 81 | 86 | 67 | 80 | 106 | 79 |
| Soviet Union | 454 | 435 | 399 | 386 | 398 | 403 | 427 | 242 |
| Spain | 87 | 105 | 114 | 95 | 63 | 65 | 71 | 54 |
| Sri Lanka | 0 | 0 | 2 | 0 | 0 | 1 | 0 | 0 |
| Sudan | 2 | 0 | 1 | 0 | 0 | 0 | 0 | 0 |
| Swaziland | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 |
| Sweden | 939 | 1,118 | 1,005 | 918 | 680 | 778 | 889 | 814 |
| Switzerland | 1,354 | 1,603 | 1,438 | 1,374 | 1,107 | 1,133 | 1,313 | 1,216 |
| Syria | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 |
| Taiwan | 28 | 29 | 49 | 40 | 35 | 58 | 90 | 89 |
| Tanzania | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 |
| Thailand | 2 | 1 | 3 | 0 | 1 | 3 | 1 | 1 |

## Table 15.—PATENTS ISSUED BY THE UNITED STATES TO RESIDENTS OF FOREIGN COUNTRIES—Continued

(1975–1982)[1]

| Country | 1975 | [2]1976 | [2]1977 | 1978 | 1979 | 1980 | 1981 | 1982 |
|---|---|---|---|---|---|---|---|---|
| Trinidad & Tobago | 3 | 1 | 3 | 4 | 4 | 2 | 1 | 1 |
| Tunisia | 0 | 0 | 1 | 0 | 0 | 3 | 0 | 2 |
| Turkey | 0 | 0 | 2 | 1 | 1 | 4 | 1 | 1 |
| Uganda | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 0 |
| United Kingdom | 3,071 | 3,443 | 2,831 | 2,850 | 2,203 | 2,281 | 2,616 | 2,357 |
| Upper Volta | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 |
| Uruguay | 1 | 2 | 0 | 0 | 0 | 0 | 4 | 26 |
| Vanuatu | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 |
| Venezuela | 9 | 2 | 9 | 8 | 13 | 11 | 12 | 12 |
| Vietnam, Republic of | 2 | 1 | 1 | 1 | 0 | 1 | 0 | 0 |
| Yemen | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 |
| Yugoslavia | 10 | 5 | 7 | 9 | 7 | 13 | 10 | 14 |
| Zambia | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 |
| Zimbabwe | 2 | 1 | 4 | 1 | 0 | 1 | 1 | 0 |
| TOTALS | 24,821 | 28,909 | 25,513 | 25,838 | 21,035 | 23,093 | 27,816 | 26,053 |

[1] Data includes design, plant, and reissue patents.
[2] The Transition Quarter, July 1, 1976, to September 30, 1976, has been omitted.

## Table 16.—PATENT CLASSIFICATION ACTIVITY

(1979–1982)

| Classification Activity | 1979 | 1980 | 1981 | 1982 |
|---|---|---|---|---|
| PATENTS RECLASSIFIED AND PROCESSED[1] | | | | |
| Cross-Reference U.S. Patents | 314,723 | 219,203 | 200,652 | 244,105 |
| Foreign Patents | 239,000 | 232,000 | 180,000 | 170,000 |
| Original U.S. Patents | 149,151 | 145,206 | 112,420 | 106,416 |
| Total Patents Reclassified | 702,874 | 596,409 | 493,072 | 520,521 |
| ORIGINAL PATENTS PROFESSIONALLY RECLASSIFIED[2] | | | | |
| Completed Projects | | | 113,284 | 82,694 |
| Pro Rata Count of Projects[3] | | | 134,902 | 105,332 |
| SUBCLASSES ESTABLISHED | 6,883 | 5,261 | 5,287 | 4,667 |

[1] All professional and clerical processing has been completed. Users may now access these documents via their new classifications.
[2] Measured in terms of original patents, data available for 1981 only. Professionals includes classifiers, technicians, and patent examiner detailees. Data does not include clerical processing.
[3] Original patents reclassified during the fiscal year irrespective of project completion status.

## Table 17.—SUMMARY OF TRADEMARK EXAMINING ACTIVITIES

(1976-1982)[1]

| Item | 1976 | 1977 | 1978 | 1979 | 1980 | 1981 | 1982 |
|---|---|---|---|---|---|---|---|
| Applications for Registration Filed | 37,074 | 44,539 | 50,106 | 50,672 | 52,149 | 55,152 | 73,621 |
| Disposal of Trademark Applications: | | | | | | | |
| Applications Maturing to Registration | 31,266 | 27,431 | 31,623 | 24,961 | 16,366 | 34,748 | 43,630 |
| Applications Abandoned | 7,986 | 9,055 | 8,287 | 10,061 | 8,023 | 14,589 | 19,350 |
| Applications Approved for Publication | 31,266 | 27,431 | 31,623 | 24,961 | 28,974 | 34,759 | 45,621 |
| Certificates of Registration Issued:[2] | | | | | | | |
| 1946 Act Principal Register | 27,286 | 24,256 | 28,236 | 21,496 | 14,149 | 30,223 | 37,506 |
| 1946 Act Supplemental Register | 816 | 770 | 685 | 714 | 465 | 1,083 | 1,519 |
| Total | 28,102 | 25,026 | 28,921 | 22,210 | 14,614 | 31,306 | 39,025 |
| Renewal of Registration: | | | | | | | |
| Applications Filed | 6,833 | 5,854 | 5,567 | 5,623 | 5,892 | 5,693 | 5,760 |
| Applications Abandoned | 121 | 18 | 52 | 32 | 35 | 62 | 23 |
| Registrations Renewed | 6,914 | 6,215 | 5,254 | 5,404 | 5,862 | 5,884 | 6,070 |
| Affidavits, Sec 8: | | | | | | | |
| Affidavits Filed | 15,665 | 13,463 | 13,351 | 13,864 | 13,633 | 17,071 | 15,068 |
| Affidavits Disposed | 12,376 | 12,796 | 9,681 | 7,560 | 11,332 | 14,936 | 16,970 |
| Affidavits for Benefits Under Sec. 12(c): | | | | | | | |
| Affidavits Filed | 24 | 30 | 77 | 10 | 85 | 40 | 55 |
| Affidavits Abandoned | 0 | 3 | 0 | 3 | 0 | 0 | 0 |
| Published Under Sec. 12(c) | 56 | 21 | 84 | 34 | 54 | 77 | 71 |
| Pendency Time of Average Trademark Application: | | | | | | | |
| Between Filing and Examiner's First Action[3] | 3.0 | 3.0 | 6.0 | 10.2 | 11.5 | 11.0 | 8.4 |
| Between Filing and Registration/ Abandonment[3] | 16.0 | 14.8 | 16.2 | 17.9 | 24.9 | 24.0 | 21.3 |

[1] The Transition Quarter, July 1, 1976, to September 30, 1976, has been omitted.

[2] A single certificate of registration is issued for an application covering more than one class, but elsewhere in this table, applications are counted extra times for extra classes.

[3] Average pendency time in months.

## Table 18.—TRADEMARK APPLICATIONS FILED FOR REGISTRATION AND RENEWAL AND TRADEMARK AFFIDAVITS FILED

(1963–1982)

| Year | For Regis. | For Renewal | Section 8 Affidavit | Sec. 12(c) Affidavit |
|---|---|---|---|---|
| 1963 | 24,224 | 2,604 | 12,752 | 311 |
| 1964 | 25,574 | 2,824 | 12,055 | 261 |
| 1965 | 26,657 | 3,049 | 13,923 | 308 |
| 1966 | 28,438 | 3,695 | 13,705 | 518 |
| 1967 | 27,628 | 3,844 | 11,156 | 341 |
| 1968 | 28,292 | 4,089 | 12,116 | 231 |
| 1969 | 31,268 | 6,267 | 13,890 | 90 |
| 1970 | 33,807 | 6,329 | 14,283 | 59 |
| 1971 | 32,803 | 6,189 | 12,263 | 76 |
| 1972 | 33,741 | 5,980 | 13,256 | 46 |
| 1973 | [1]36,204 | 5,614 | 13,605 | 74 |
| 1974 | 34,193 | 5,633 | 13,259 | 55 |
| 1975 | 33,898 | 5,687 | 14,644 | 29 |
| 1976[2] | 37,074 | 6,833 | 15,665 | 24 |
| 1977[2] | 44,539 | 5,854 | 13,463 | 30 |
| 1978 | 50,106 | 5,567 | 13,351 | 77 |
| 1979 | 50,672 | 5,623 | 13,864 | 10 |
| 1980 | 52,149 | 5,892 | 13,633 | 85 |
| 1981 | 55,152 | 5,693 | 17,071 | 40 |
| 1982 | 73,621 | 5,760 | 15,068 | 55 |

[1] Revised.
[2] The Transition Quarter, July 1, 1976, to September 30, 1976, has been omitted.

## Table 19.—SUMMARY OF PENDING TRADEMARK APPLICATIONS AND TRADEMARK AFFIDAVITS

(As of September 30, 1982)

| Stage of Processing | Applications | | Affidavits | |
|---|---|---|---|---|
| | For Regis. | For Renewal | Under Sect. 8 | Sect. 12(c) |
| IN PREEXAMINATION PROCESSING | 25,564 | — | — | — |
| UNDER EXAMINATION | | | | |
| Amended, awaiting action by examiner | 17,915 | 0 | 0 | 0 |
| Awaiting first action by examiner | 25,104 | 279 | 115 | 2 |
| Awaiting subsequent action (by applicant, on appeal, in adversary proceedings, in clerical processing) | 39,634 | 770 | 2,075 | 2 |
| Total Under Examination | 82,653 | 1,049 | 2,190 | 4 |
| Total | 108,217 | 1,049 | 2,190 | 4 |
| IN POSTEXAMINATION PROCESSING (Includes all applications in all phases of publication and issue) | 22,312 | 61 | 0 | 15 |
| TOTAL IN PATENT AND TRADEMARK OFFICE | 130,529 | 1,110 | 2,190 | 19 |

## Table 20.—SUMMARY OF CONTESTED TRADEMARK CASES

(Within the Patent and Trademark Office)

| Trademark Trial and Appeal Board | Ex Parte | Cancel | Conc. Use | Inter. | Oppos. | Total |
|---|---|---|---|---|---|---|
| Receipts | | | | | | |
| Cases Pending as of 9/30/81 | 256 | 536 | 30 | 1 | 2,120 | 2,943 |
| Cases Filed During FY 1982 | 706 | 456 | 23 | 0 | 1,624 | 2,809 |
| Total Receipts | 962 | 992 | 53 | 1 | 3,744 | 5,752 |
| Disposals | 528 | 354 | 9 | 1 | 1,470 | 2,362 |
| Total Cases Pending as of 9/30/82 | 434 | 638 | 44 | 0 | 2,274 | 3,390 |

## Table 21.—TRADEMARKS REGISTERED, RENEWED, AND PUBLISHED UNDER SECTION 12(c)[1]

(1963–1982)

| Year | Registered[2] | Renewed | Published Under 12(c) |
|---|---|---|---|
| 1963 | 18,266 | 2,450 | 322 |
| 1964 | 20,689 | 2,834 | 329 |
| 1965 | 19,452 | 2,870 | 336 |
| 1966 | 18,671 | 3,441 | 497 |
| 1967 | 20,604 | 3,820 | 403 |
| 1968 | 20,385 | 3,726 | 290 |
| 1969 | 20,306 | 5,442 | 182 |
| 1970 | 21,974 | 6,370 | 103 |
| 1971 | 21,686 | 6,380 | 112 |
| 1972 | 21,062 | 5,836 | 56 |
| 1973 | 25,432 | 5,398 | 69 |
| 1974 | 24,838 | 5,984 | 54 |
| 1975 | 27,324 | 5,474 | 25 |
| 1976[3] | 28,102 | 6,914 | 56 |
| 1977[3] | 25,026 | 6,251 | 21 |
| 1978 | 28,921 | 5,254 | 84 |
| 1979 | 22,210 | 5,404 | 34 |
| 1980 | 14,614 | 5,862 | 54 |
| 1981 | 31,306 | 5,884 | 77 |
| 1982 | 39,025 | 6,070 | 71 |

[1] Includes withdrawn numbers.
[2] Certificates of registration issued.
[3] The Transition Quarter, July 1, 1976,to September 30, 1976, has been omitted.

## Table 22.—UNITED STATES TRADEMARK APPLICATIONS FILED BY RESIDENTS OF FOREIGN COUNTRIES

(1979–1982)

| Country | 1979 | 1980 | 1981 | 1982 |
|---|---|---|---|---|
| Algeria | 1 | 0 | 1 | 0 |
| Andorra | 1 | 0 | 0 | 0 |
| Argentina | 20 | 43 | 13 | 21 |
| Australia | 130 | 109 | 136 | 176 |
| Austria | 36 | 50 | 35 | 120 |
| Bahamas | 3 | 0 | 4 | 20 |
| Bahrain | 0 | 0 | 0 | 1 |
| Barbados | 0 | 0 | 3 | 1 |
| Belgium | 37 | 19 | 49 | 93 |
| Benelux Conv. | 0 | 0 | 0 | 1 |
| Bermuda | 4 | 19 | 17 | 7 |
| Brazil | 43 | 23 | 42 | 66 |
| British Virgin Islands | 0 | 4 | 0 | 0 |
| Canada | 797 | 702 | 859 | 1,342 |
| Cayman Islands | 0 | 4 | 0 | 14 |
| Chile | 4 | 0 | 12 | 9 |
| China, People's Republic of | 0 | 19 | 33 | 73 |
| Colombia | 6 | 12 | 7 | 22 |
| Costa Rica | 2 | 0 | 3 | 1 |
| Cuba | 1 | 0 | 0 | 0 |
| Czechoslovakia | 7 | 0 | 3 | 2 |
| Denmark | 57 | 85 | 54 | 87 |
| Dominican Republic | 3 | 0 | 6 | 2 |
| Ecuador | 0 | 0 | 1 | 2 |
| Egypt | 0 | 0 | 3 | 0 |
| El Salvador | 1 | 0 | 2 | 1 |
| Fiji | 0 | 0 | 1 | 0 |
| Finland | 27 | 19 | 37 | 64 |
| France | 568 | 807 | 689 | 1,293 |
| Germany, Dem. Republic of | 0 | 0 | 3 | 5 |
| Germany, Fed. Repulic of | 671 | 833 | 696 | 1,196 |
| Ghana | 0 | 0 | 0 | 2 |
| Greece | 5 | 0 | 4 | 6 |
| Guatemala | 0 | 4 | 3 | 5 |
| Guyana | 5 | 0 | 0 | 1 |
| Haiti | 0 | 0 | 0 | 1 |
| Honduras | 2 | 0 | 0 | 0 |
| Hong Kong | 71 | 105 | 90 | 169 |
| Hungary | 0 | 12 | 3 | 14 |
| Iceland | 0 | 0 | 4 | 14 |
| India | 7 | 12 | 4 | 2 |
| Indonesia | 1 | 0 | 0 | 2 |
| Iran | 8 | 0 | 6 | 1 |
| Ireland | 18 | 8 | 19 | 10 |
| Israel | 37 | 27 | 22 | 46 |
| Italy | 333 | 365 | 367 | 1,020 |
| Jamaica | 5 | 0 | 0 | 5 |
| Japan | 445 | 469 | 613 | 911 |
| Kenya | 2 | 0 | 0 | 1 |
| Kiribati | 0 | 0 | 1 | 0 |

## Table 22.—UNITED STATES TRADEMARK APPLICATIONS FILED BY RESIDENTS OF FOREIGN COUNTRIES—Continued

(1979-1982)

| Country | 1979 | 1980 | 1981 | 1982 |
|---|---|---|---|---|
| Korea, Dem. Republic of | 0 | 0 | 0 | 1 |
| Korea, Republic of | 9 | 0 | 14 | 21 |
| Kuwait | 1 | 0 | 0 | 0 |
| Lebanon | 1 | 0 | 5 | 0 |
| Liberia | 3 | 0 | 2 | 1 |
| Liechtenstein | 21 | 31 | 20 | 20 |
| Luxembourg | 6 | 0 | 1 | 9 |
| Macau | 0 | 0 | 3 | 1 |
| Madagascar | 2 | 4 | 9 | 1 |
| Malaysia | 1 | 0 | 1 | 0 |
| Mexico | 46 | 62 | 58 | 90 |
| Monaco | 5 | 0 | 3 | 17 |
| Morocco | 0 | 0 | 0 | 1 |
| Nauru | 0 | 0 | 6 | 1 |
| Netherlands | 89 | 113 | 120 | 276 |
| New Zealand | 38 | 50 | 26 | 71 |
| Nicaragua | 0 | 12 | 1 | 0 |
| Niger | 3 | 4 | 0 | 0 |
| Norway | 23 | 16 | 19 | 28 |
| Panama | 13 | 8 | 10 | 21 |
| Paraguay | 0 | 16 | 0 | 0 |
| Peru | 6 | 0 | 2 | 1 |
| Philippines | 6 | 4 | 15 | 4 |
| Poland | 2 | 8 | 3 | 4 |
| Portugal | 15 | 16 | 59 | 98 |
| Qatar | 0 | 0 | 1 | 0 |
| Romania | 4 | 0 | 2 | 4 |
| Rwanda | 1 | 0 | 0 | 0 |
| San Marino | 0 | 0 | 1 | 0 |
| Saudi Arabia | 1 | 0 | 2 | 1 |
| Sierra Leone | 1 | 0 | 0 | 0 |
| Singapore | 13 | 0 | 10 | 12 |
| South Africa | 29 | 0 | 21 | 48 |
| Soviet Union | 5 | 35 | 9 | 16 |
| Spain | 100 | 159 | 107 | 160 |
| Sri Lanka | 0 | 0 | 1 | 0 |
| Surinam | 0 | 0 | 2 | 0 |
| Swaziland | 3 | 0 | 0 | 0 |
| Sweden | 129 | 167 | 124 | 236 |
| Switzerland | 243 | 268 | 250 | 380 |
| Syria | 0 | 0 | 1 | 0 |
| Taiwan | 40 | 31 | 38 | 82 |
| Thailand | 1 | 12 | 2 | 1 |
| Trinidad & Tobago | 1 | 12 | 1 | 4 |
| Uganda | 1 | 0 | 0 | 0 |
| United Kingdom | 582 | 547 | 597 | 945 |
| Venezuela | 2 | 4 | 5 | 22 |
| Vietnam, Republic of | 0 | 0 | 2 | 1 |
| Yugoslavia | 1 | 0 | 4 | 48 |
| Zimbabwe | 1 | 0 | 0 | 1 |
| Total | 4,806 | 5,329 | 5,402 | 9,456 |

## Table 23.—TRADEMARKS REGISTERED BY THE UNITED STATES TO RESIDENTS OF FOREIGN COUNTRIES

(1979–1982)

| Country | 1979 | 1980 | 1981 | 1982 |
|---|---|---|---|---|
| Argentina | 6 | 4 | 14 | 6 |
| Australia | 38 | 29 | 52 | 40 |
| Austria | 28 | 20 | 32 | 16 |
| Belgium | 22 | 11 | 30 | 16 |
| Brazil | 17 | 9 | 22 | 21 |
| Canada | 257 | 180 | 288 | 378 |
| Chile | 0 | 1 | 1 | 0 |
| China, Peoples Republic of | 3 | 3 | 6 | 27 |
| Colombia | 3 | 1 | 2 | 0 |
| Cuba | 0 | 0 | 1 | 0 |
| Czechoslovakia | 3 | 3 | 4 | 1 |
| Denmark | 32 | 14 | 27 | 15 |
| El Salvador | 2 | 0 | 0 | 1 |
| Finland | 13 | 15 | 8 | 12 |
| France | 248 | 174 | 266 | 355 |
| Germany, Federal Republic of | 345 | 223 | 358 | 408 |
| Greece | 1 | 1 | 6 | 2 |
| Hong Kong | 31 | 19 | 52 | 33 |
| Hungary | 1 | 0 | 0 | 1 |
| Iceland | 2 | 0 | 2 | 0 |
| India | 1 | 0 | 0 | 2 |
| Ireland | 10 | 2 | 6 | 7 |
| Israel | 6 | 3 | 6 | 14 |
| Italy | 137 | 98 | 155 | 194 |
| Jamaica | 1 | 0 | 0 | 0 |
| Japan | 231 | 137 | 271 | 335 |
| Korea, Republic of | 11 | 3 | 9 | 2 |
| Kuwait | 0 | 1 | 1 | 0 |
| Lebanon | 0 | 1 | 0 | 0 |
| Liberia | 0 | 0 | 1 | 0 |
| Liechstenstein | 5 | 3 | 3 | 9 |
| Luxembourg | 0 | 1 | 0 | 1 |
| Mexico | 35 | 20 | 18 | 20 |
| Monaco | 0 | 1 | 1 | 0 |
| Netherlands | 70 | 21 | 51 | 36 |
| New Zealand | 6 | 8 | 19 | 14 |
| Norway | 5 | 5 | 2 | 7 |
| Panama | 1 | 1 | 4 | 6 |
| Peru | 2 | 0 | 2 | 0 |
| Philippines | 1 | 0 | 0 | 1 |
| Portugal | 8 | 2 | 2 | 4 |
| Romania | 1 | 0 | 3 | 1 |
| Saudi Arabia | 0 | 2 | 0 | 0 |
| Singapore | 0 | 1 | 0 | 0 |
| South Africa | 20 | 7 | 20 | 9 |
| Soviet Union | 7 | 1 | 5 | 1 |
| Spain | 58 | 46 | 54 | 76 |
| Sweden | 55 | 40 | 52 | 91 |
| Switzerland | 109 | 66 | 123 | 144 |
| Taiwan | 1 | 2 | 3 | 4 |

## Table 23.—TRADEMARKS REGISTERED BY THE UNITED STATES TO RESIDENTS OF FOREIGN COUNTRIES—Continued

(1978-1981)

| Country | 1979 | 1980 | 1981 | 1982 |
|---|---|---|---|---|
| Thailand | 1 | 0 | 0 | 0 |
| Turkey | 1 | 0 | 0 | 0 |
| United Kingdom | 263 | 144 | 225 | 183 |
| Venezuela | 4 | 0 | 1 | 5 |
| Yugoslavia | 1 | 0 | 0 | 0 |
| Total | 2,103 | 1,323 | 2,208 | 2,498 |

## Table 24.—SUMMARY OF SERVICES FURNISHED TO THE PUBLIC AND GOVERNMENT AGENCIES

(For a Fee or Without Charge)

| Item Service Furnished | Totals |
|---|---|
| ASSIGNMENTS[1]: | |
| Abstracts of Title | 927 |
| Certified Copies of Documents | 11,860 |
| Documents Recorded | 89,521 |
| Photo Copies Prepared | 20,327 |
| Title Reports | 22,132 |
| Transfers of Records from Pending to Public Files[2] | 47,006 |
| CERTIFIED DOCUMENTS[3] | 91,256 |
| DRAFTING: | |
| Accomplishments by P.T.O. Draftsmen: | |
| Drawing Sheets Inspected | 427,992 |
| Total Drawings Sheets Corrected[4] | 10,574 |
| Lost Drawings Replaced | 409 |
| Drawings and Corrections | 6,637 |
| Accomplishments by Bonded Draftsmen: | |
| Corrections Requested | 4,152 |
| Corrections Completed | 2,508 |
| Ending Inventory | 1,644 |
| PATENT AND TRADEMARK COPIES SUPPLIED: | |
| National Archives[2] | 178,572 |
| Foreign Exchange Programs[2] | 2,279,628 |
| Depository Library Subscriptions | 1,071,432 |
| Orders Received from the Public | 2,684,390 |
| Total Copies Supplied | 6,214,022 |
| PATENT AND TRADEMARK PAGES REPRODUCED[5] | 20,975,781 |

[1] Briefs of all legal documents recorded against a specific patent or trademark property.
[2] Without charge.
[3] Copies of patent and trademark official file wrapper copies.
[4] Corrections to patent and trademark application drawings.
[5] To fill orders for copies of patents and trademarks.

## Table 25.—ACTIONS ON PETITIONS TO THE COMMISSIONER OF PATENTS AND TRADEMARKS

(During Fiscal Year 1982)

| Nature of the Petition | Totals |
|---|---|
| PATENT MATTERS | |
| Acceptance of: | |
| Amendments Filed After Payment of Issue Fee | 107 |
| Late Assignments | 39 |
| Late Issue Fees | 681 |
| Late Priority Papers | 92 |
| Access | 77 |
| Certificates of Correction | 7,379 |
| Deferment of Issue | 86 |
| Filing Date | 253 |
| Interference | 76 |
| Make Special: | |
| Infringement | 155 |
| Manufacture | 16 |
| Other | 629 |
| New Notice of Allowance | 122 |
| Public Use | 2 |
| Reexamination Proceedings | 60 |
| Reissue in Divisions | 9 |
| Restriction | 75 |
| Revivals | 1,489 |
| Rule 47 (37 CFR 1.47) | 784 |
| Second Extensions of Time | 8,698 |
| Supervisory Authority | 409 |
| Withdrawal of Attorney | 1,781 |
| Withdrawal from Issue | 148 |
| Change of Inventorship | 9 |
| Withdrawals of Holding of Aband/Pat. Lapse | 701 |
| Total Actions on Patent Petitions | 23,877 |
| OTHER RELATED PATENT MATTERS | |
| Applications Involving the Duty of Disclosure: | |
| Receipts | 141 |
| Disposals: | |
| Abandoned | 103 |
| Not Stricken | 26 |
| Not Rejected Under 37 CFR 1.56(d) | 15 |
| Stricken | 3 |
| Applications Withdrawn | 0 |
| Total Disposals | 147 |
| Protests Filed in: | |
| Original Applications | 13 |
| Reissue Applications | 34 |
| Total Protests Filed | 47 |
| TRADEMARK MATTERS | |
| Acceptance of Late Filed: | |
| Fees (Excluding Section 8) | 3 |
| Papers (Excluding Section 8) | 21 |
| Decision by Examiner | 5 |
| Extensions of Time | 12 |
| Interferences | 3 |
| Make Special and Revive | 1 |
| Requesting Recordation in Assignment Division | 18 |
| Restore Jurisdiction to Examiner | 1 |
| Sections 8 or 15 | 19 |

## Table 25.—ACTIONS ON PETITIONS TO THE COMMISSIONER OF PATENTS AND TRADEMARKS—Continued

(During Fiscal Year 1982)

| Nature of the Petition | Totals |
|---|---|
| Supervisory Authority (2.146(a)(3)) | 23 |
| Miscellaneous | 16 |
| Total Actions on Trademark Petitions | 122 |
| PETITIONS AWAITING ACTION AS OF 9/30/82: | |
| Patent Matters | 758 |
| Trademark Matters | 32 |

## Table 26.—CASES IN LITIGATION

(Selected Courts of the United States)

| Courts of the United States | Adminis. Review | Pat | TM | Total |
|---|---|---|---|---|
| SUPREME COURT | | | | |
| Petitions for Writ of Certiorari | | | | |
| Cases Pending as of 9/30/81 | 0 | 0 | 0 | 0 |
| Cases Filed During FY 82 | 1 | 0 | 0 | 1 |
| Total | 1 | 0 | 0 | 1 |
| Disposals: | | | | |
| Denied | 0 | 0 | 0 | 0 |
| Dismissed | 0 | 0 | 0 | 0 |
| Granted | 0 | 0 | 0 | 0 |
| Affirmed | 0 | 0 | 0 | 0 |
| Total Disposals | 0 | 0 | 0 | 0 |
| Total Cases Pending as of 9/30/82 | 1 | 0 | 0 | 1 |
| COURTS OF APPEALS FOR THE DISTRICT OF COLUMBIA | | | | |
| Cases Pending as of 9/30/81 | 3 | 2 | 0 | 5 |
| Cases Filed During FY 82 | 3 | 1 | 0 | 4 |
| Total | 6 | 3 | 0 | 9 |
| Disposals: | | | | |
| Affirmed | 1 | 0 | 0 | 1 |
| Dismissed | 3 | 1 | 0 | 4 |
| Reversed | 1 | 0 | 0 | 1 |
| Remanded | 0 | 1 | 0 | 1 |
| Total Disposals | 5 | 2 | 0 | 7 |
| Total Cases Pending as of 9/30/82 | 1 | 1 | 0 | 2 |
| DISTRICT COURTS FOR THE DISTRICT OF COLUMBIA | | | | |
| Cases Pending as of 9/30/81 | 2 | 10 | 0 | 12 |
| Cases Filed During FY 82 | 6 | 6 | 0 | 12 |
| Total | 8 | 16 | 0 | 24 |
| Disposals: | | | | |
| Affirmed | 0 | 0 | 0 | 0 |
| Dismissed | 6 | 2 | 0 | 8 |
| Reversed | 0 | 1 | 0 | 1 |
| Affirmed-in-Part | 0 | 0 | 0 | 0 |
| Remanded | 0 | 2 | 0 | 2 |
| Total Disposals | 6 | 5 | 0 | 11 |
| Total Cases Pending as of 9/30/82 | 2 | 11 | 0 | 13 |

## Table 26.—CASES IN LITIGATION—Continued

(Selected Courts of the United States)

| Courts of the United States | Ex Parte | | Inter Partes | | Total |
|---|---|---|---|---|---|
| | Pat | TM | Pat | TM | |
| COURT OF CUSTOMS AND PATENT APPEALS | | | | | |
| Cases Pending as of 9/30/81 | 57 | 3 | 15 | 12 | 87 |
| Cases Filed During FY 82 | 72 | 6 | 15 | 21 | 114 |
| Total Receipts | 129 | 9 | 30 | 33 | 201 |
| Disposals: | | | | | |
| Affirmed | 48 | 2 | 13 | 9 | 72 |
| Affirmed-in-Part | 5 | 0 | 0 | 0 | 5 |
| Dismissed: | | | | | |
| Appellant's Motion | 15 | 0 | 2 | 3 | 20 |
| Appellee's Motion | 0 | 0 | 0 | 0 | 0 |
| Joint Motion | 8 | 1 | 0 | 3 | 12 |
| Want of Prosecution | 0 | 0 | 0 | 0 | 0 |
| Remanded | 7 | 1 | 0 | 2 | 10 |
| Reversed | 14 | 2 | 4 | 1 | 21 |
| Writs of Mandamus: | | | | | |
| Denied | 2 | 0 | 0 | 0 | 2 |
| Granted | 0 | 0 | 0 | 0 | 0 |
| Dismissed | 0 | 0 | 0 | 0 | 0 |
| Total Disposals | 99 | 6 | 19 | 18 | 142 |
| Total Cases Pending as of 9/30/82 | 30 | 3 | 11 | 15 | 59 |

Notices of Appeals to Court of Customs and Patent Appeals received 10/1/81-9/30/82:

- Ex parte patents and trademarks ..... 95 (16) not perfected
- Inter partes patents ..... 17 ( 1) not perfected
- Inter partes trademarks ..... 32 ( 3) not perfected

## Table 27.—CASES IN LITIGATION

(Other Jurisdictions-Reported Cases)

| Month | Patent Suits | | | | Trademark Suits | | | |
|---|---|---|---|---|---|---|---|---|
| | Filed | Pat's Involved | Decs. | Pat's Involved | Filed | TM's Involved | Decs. | TM's Involved |
| October 1981 | 38 | 63 | 14 | 16 | 59 | 194 | 12 | 35 |
| November | 45 | 61 | 12 | 13 | 37 | 104 | 18 | 42 |
| December | 51 | 79 | 13 | 17 | 57 | 148 | 24 | 57 |
| January | 33 | 74 | 15 | 18 | 49 | 179 | 21 | 46 |
| February | 39 | 79 | 15 | 16 | 39 | 134 | 13 | 31 |
| March | 42 | 67 | 23 | 46 | 66 | 238 | 37 | 116 |
| April | 57 | 67 | 18 | 22 | 59 | 183 | 25 | 77 |
| May | 42 | 76 | 16 | 25 | 73 | 247 | 40 | 107 |
| June | 43 | 65 | 27 | 42 | 60 | 253 | 20 | 51 |
| July | 46 | 66 | 11 | 13 | 78 | 323 | 27 | 81 |
| August | 41 | 71 | 18 | 34 | 48 | 187 | 29 | 134 |
| September 1982 | 56 | 82 | 17 | 29 | 48 | 148 | 17 | 50 |
| Totals | 533 | 850 | 199 | 291 | 673 | 2,338 | 283 | 827 |